THE Nation.

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Letters

A New *Nation*, Conceived in…

Albuquerque
Just wanted to drop you a note about the print magazine revamp: splendid!
Russ Hall

Jamaica Plain, Mass.
Like the new design: easier to read.
Mary Ann Kopydlowski

Chicago
Please increase the font size! The shrunken type is nearly unreadable for anyone on the downside of 50.
Adam L. Scheffler

Santa Barbara, Calif.
I hate the new format. I don't think I'll renew.
Ronald W. Tobin

San Antonio
I was thrilled to see the new look. Many of the design choices resemble elements from *The Nation*'s history, from the 1920s onward. I do have one complaint: the pictures are often ruined by the ads on the other side of the page.
Regis L. Roberts

Etna, N.Y.
The redesign will take some getting used to. I think I like most of it, but I was disappointed not to see that little nod to the magazine's history, "*The Nation* since 1865," at the top of page 3.
William Blackwell

Portland, Ore.
Does it merely *appear* that the ad on the "Letters" page cuts into the amount of content? And with "Noted," you have instituted one of my least favorite design features: dropping an article into the middle of another without creating a jump.
Bill Michtom

Minneapolis
I tend to resist change, but the new look is pleasing to the eye; and the clarity of the new paper is easier on aging eyes. Congratulations to the designers.
George Muellner

letters@thenation.com

Brooklyn, N.Y.
I guess now we know what Karl Rove is doing in retirement: whispering design advice to *The Nation*'s art director. How else can I explain the sad little thing that showed up in my mail this week? Rove's still brilliant, persuading you to see "lively" and "distinctive" in this flaccid trade-mag layout and Captain Kirk typography. Thank you, at least, for offering me a teaching tool for my classes at Pratt. The contrasts between the stodgy old *Nation*, the clear, strong hipness of the Scott Stowall–era magazine and this limp *Nation Lite* are fascinating. I can only hope Rove won't be allowed near the writers.
Rob Kimmel

Oakland, Calif.
I don't know if *The Nation*'s new redesign will get as much negative feedback as the last one did. I think *The Nation* should be judged not by the color of its copy but by the content of its characters.
Aaron Priven

Fort Bragg, Calif.
What a surprise—the makeover! I've been very comfortable with your old format over the years, yet I like the new one. It will take time for my 90-plus years to adapt. Your design seems to have been done with a view to reader comfort, not like so many remakes, which apparently are for the satisfaction of the designers.
Howard Ennes

"The Nation since 1865" (inadvertently dropped in the heat of redesign implementation) is back. The new type (Janson) is actually a half-point larger than the old type (the strokes are finer, which makes it easier to read: less ink, more air), although the space between the lines is a quarter-point narrower. "Noted" expands and contracts and travels, depending on variables. We were pleased with the largely positive response to the redesign and thank our readers for their comments and suggestions.
—The Editors

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The Nation.
since 1865

Voting for Torture

"It's a very different kind of person." That was how Attorney General nominee Michael Mukasey described prisoners in the "war on terror." He was trying to explain to Senator Dick Durbin why the military's Judge Advocates General were wrong to flatly condemn interrogation techniques long recognized as violations of the Geneva Conventions. In that simple phrase, even more than in his willful evasions on whether waterboarding constitutes torture, Judge Mukasey showed what he is really made of. Deciding that a class of prisoners constitutes "a very different kind of person" is the psychological key to justifying the unjustifiable.

EDITORIAL

For a brief moment, the Mukasey nomination fight and the tide of revulsion at his equivocations offered Congress and the country a chance to redeem constitutional values. By foreclosing that opposition, Democratic Senators Charles Schumer and Dianne Feinstein have led the Senate and all of us across a dangerous line. Until now, the Administration's illegal renditions, interrogations and wiretaps have been debated following after-the-fact disclosures. But the Senate's all-but-certain confirmation of Mukasey, despite his evasions on waterboarding, is something new: collusion by a majority of the Washington political establishment in a specific practice recognized as uncivilized since the Inquisition.

While Schumer and Feinstein have a lot to answer for, the disintegration of meaningful opposition to Mukasey and torture was not of their making alone. From the first days after the 2006 election, key Democrats, including House Speaker Nancy Pelosi, pledged to work with the President instead of confronting him over his assertions of unlimited extra-constitutional power. Over the past six months Congress could have conducted investigations of interrogation practices, taking testimony from prisoners and lawyers otherwise barred from speaking about what they know, putting human rights law into the spotlight and establishing public consensus about waterboarding long before any nominee for Attorney General took the stand. If waterboarding is torture—which it is by every US and international standard—then the Administration is willfully violating two federal criminal statutes, the torture law and the War Crimes Act. But the Democrats have preferred a narrative about bad policies, not sordid criminality. This despite ample evidence of the Administration's bad faith: just recently, there were revelations of a secret 2005 Justice Department memo giving interrogators broad permission to override new laws and court rulings barring cruel, inhuman and degrading treatment of prisoners. Together with that memo, Senate approval of Mukasey epitomizes Washington's culture of retroactive immunity. Interrogators force water down the throats of detainees? Immunize them. Congress and the courts establish modest rights for prisoners? Write a secret memo. A nominee for the nation's highest legal office professes not to know whether waterboarding is legal? Confirm him.

Judges, members of Congress and military officers can still push back; citizens can still stake out principled ground in the face of profound constitutional peril. Democrats of conscience can send a message by refusing to contribute to the Democratic Senatorial Campaign Committee, chaired by Schumer, instead contributing directly to candidates who speak out forcefully for the rule of law and senators who opposed the nomination. Groups like the Center for Constitutional Rights and the Bill of Rights Defense Committee deserve robust support for insisting that the Constitution is too important to be sacrificed to realpolitik.

The Mukasey vote demonstrates that we are talking about far more than accountability for the Bush Administration's

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Robert Scheer: Our Man in Pakistan
Katha Pollitt: Maureen Dowd, Hillary Hater
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Larry Bogad: The Colbert Rapport

NATION POLL
Choose the Democratic Nominee

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past abuses. What is at stake now is preventing future crimes—including, perhaps, those by future administrations. We may be at the beginning of a long struggle to restore constitutional values to American life. The Mukasey vote signifies that if the rule of law is once again to find its proper place in Washington, leadership is not likely to come from the leaders.

Musharraf's Emergency

Islamabad

President-General Pervez Musharraf gave two primary reasons for suspending Pakistan's Constitution for the second time in eight years. One was a rising tide of Islamic militancy. The other was an "interfering" judiciary that was making governance and the army's "war on terror" impossible. He was lying on both counts.

COMMENT

True, Pakistan is under threat from a retrograde Islam. A native "Pakistan" Taliban now rules the tribal regions of Waziristan, backed by foreign militants linked to Al Qaeda. And North West Frontier Province districts like Swat are being overrun by radical clerics. But these insurgencies have been simmering since July, when commandos prized Islamabad's Red Mosque from Islamic radicals and Musharraf broke a cease-fire with the Taliban in Waziristan. On neither occasion did he invoke special powers. He already had them. Similarly, Musharraf has been riled by "judicial activism" ever since he was forced by a mass, lawyer-led campaign to restore Iftikhar Muhammad Chaudhry as Chief Justice in July. The General had sacked him in March, wary that Chaudhry might rule unconstitutional a second presidential term. Since his reinstatement, the Justice has issued rulings against the government, but none could be construed as a cause for martial law. What drew Musharraf's sword was his fear that the Supreme Court would agree with petitions before it that his October re-election was invalid. "The Constitution is clear," says Aitzaz Ahsan, who represented the petitioners. "No person can contest political office while in military service."

Musharraf chose to impose martial law to ensure his survival, coating it in a sugar of "Islamic extremism" and a "politicized judiciary." Will Pakistanis swallow it? Many lawyers say they won't. Since the emergency, hundreds have taken to the streets, hoping their protest will snowball like the movement to reinstate Chaudhry. It's going to be a much tougher fight this time around. In the first few days of martial law some 2,000 were detained, mainly civil society activists. The independent and electronic media have been gagged, and the Supreme Court has been purged. In the days after the decree, the opposition parties were conspicuous by their reticence, as were the masses. "The lawyers need support," says analyst Tarik Fatemi. "This is not just a battle for the judiciary. It's a fight for Pakistan's soul."

Benazir Bhutto wears the soul of Pakistan like a sequined gown. In October she returned to a mass and bloody reception in Karachi, courtesy of a power-sharing deal with Musharraf. On November 7 she arrived in Islamabad, denouncing the dictatorship. She said that for there to be a peaceful resolution of the crisis, Musharraf would have to restore the Constitution, step down as army chief and hold elections, as planned, in January.

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Noted.

READING LINCOLN IN PAKISTAN: Every generation and every political movement, it seems, reinvents **Abraham Lincoln** in its own image. But rarely has he been invoked so cynically as on November 4, when President-General **Pervez Musharraf** quoted extensively from Lincoln to justify the suspension of the Pakistani Constitution and the imposition of martial law. Musharraf declared that during the Civil War, Lincoln "broke laws, he violated the Constitution, he usurped arbitrary power, he trampled individual liberties." He quoted from an 1864 letter to Albert Hodges, in which Lincoln declared that "measures, otherwise unconstitutional, might become lawful, by becoming indispensable to the preservation of the Constitution, through the preservation of the nation." Musharraf failed to note that in this letter, Lincoln was not defending the abrogation of democracy or the suppression of civil liberties but his decision to emancipate the slaves.

But even on the grounds of civil liberties and executive authority, the General's effort to wrap himself in Lincoln's mantle is ludicrous. Lincoln did take actions that interfered with Americans' freedoms and bent the Constitution. At the outset of the Civil War, without Congressional authorization, Lincoln raised troops, appropriated funds, suspended habeas corpus in Maryland and ignored a ruling by Chief Justice **Roger Taney** ordering the release of a man arrested for aiding the rebellion. Later, Lincoln extended the suspension of habeas corpus to include the entire North. Under his authority as Commander in Chief, the military arrested thousands, most of them accused of actively aiding the Confederacy, but some of nothing more than criticizing Administration policies. The most notorious was **Clement Vallandigham**, a Congressman from Ohio, convicted by a military tribunal of disloyalty for a speech opposing the draft. Lincoln ordered him deported to the Confederacy.

These policies are today viewed as serious blemishes on the history of American freedom. But they do not add up to a general assault on the Constitution and all were ratified by a democratically elected Congress. Here is what Lincoln did not do and Musharraf did. He did not suspend the Constitution, remove the Chief Justice, impose martial law upon the entire country, incarcerate dozens of lawyers, arrest leaders of the opposition party and human rights advocates or ban political demonstrations. Perhaps most important, he did not disrupt the operation of political democracy. Throughout the Civil War, elections were held on schedule. In 1862 the Democratic opposition won sweeping gains in Congressional contests, but Congress continued to meet. During the summer of 1864, Lincoln feared he might be defeated for re-election, but the election went ahead as scheduled. Lincoln insisted that the United States must demonstrate that even in the midst of a civil war, a democracy could submit its policies to the judgment of the people.

If Musharraf is interested in learning from Lincoln, he might ponder these remarks made shortly after the 1864 election: "We can not have free government without elections; and if the rebellion could force us to forego, or postpone a national election, it might fairly claim to have already conquered and ruined us.… But the election, along with its incidental, and undesirable strife, has done good too. It has demonstrated that a people's government can sustain a national election, in the midst of a great civil war."

Lincoln confronted the greatest crisis in American history, a threat to the very existence of the nation. Musharraf, according to a spokesman, acted because of "a threat to future law and order." Lincoln believed in government of the people, by the people, for the people. Musharraf believes in government of Musharraf, by Musharraf, for Musharraf. That's an important difference. ERIC FONER

DEMS GO SOUTH: Remember the courts? Don't worry, the Democrats don't either. In 2002, when George W. Bush nominated 65-year-old Mississippi jurist **Charles Pickering** to the US Court of Appeals for the Fifth Circuit, liberal pols and pundits had a field day airing the old segregationist's dirty laundry. The GOP—though it had a majority—couldn't get him confirmed. Five years later, 57-year-old Mississippi jurist **Leslie Southwick** breezed through confirmation hearings for the seat, despite an equally if not more regressive record—and with a Democratic majority in place!

The Administration's plan to slip another extremist judge through a distracted Congress worked like a charm, despite Southwick's deplorable rulings. As an exhaustive report by the **Alliance for Justice** shows, Southwick has expressed reactionary views on workers' rights, joined homophobic decisions and voted consistently with big business in divided torts and employment cases. In 2001 he joined a decision upholding a ruling that took an 8-year-old girl away from her mother because the woman was living in a "lesbian home." Going further, Southwick also joined a gratuitously antigay concurrence underscoring Mississippi's right, under "the principles of Federalism," to treat gays and lesbians like second-class citizens. If for no other reason than self-interest, Dems should take on easy targets like Southwick. With scores of gerrymandering cases making their way to the courts, do they really think jurists like Southwick will give them a fair hearing? PETER ROTHBERG

RAINBOW CONNECTION: In October **Radiohead** released *In Rainbows* as a "pay what you want, even nothing" download from its website. Millions flocked to Radiohead.com, and early reports had the album averaging at least $5 per download. But many industry insiders tut-tutted the band for spurning the system, and some intimated that *In Rainbows* was just too crummy to warrant a "real" release. Now the mainstream media are latching on to a report by Internet monitoring firm **Comscore** that concludes that 62 percent of downloaders paid nothing for the album. But Comscore's claim is weak. The firm collects data from 2 million people who allow their every mouse click to be monitored in exchange for free software. So there's no reason to believe that its population is representative of *In Rainbows* downloaders. Tellingly, Comscore's report doesn't mention how many of its "participants" downloaded the album. It's hard to resist some cynical conclusions: Comscore's client base includes several media conglomerates, media conglomerates want *In Rainbows* to fail, newspapers want stories and failure sells. PETER C. BAKER

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Otherwise she would raise the immense street power of her Pakistan People's Party (PPP) against the emergency, first at a rally in Rawalpindi and then in a "long march" from Lahore.

These demands are echoed in Washington and London, where they were minted. For the Bush Administration especially, Musharraf's resort to martial law is a foreign policy failure on an almost Iraqi scale. Since 9/11, when Musharraf changed sides in the "war on terror," US strategy has been predicated on a simple premise: only a dictator, backed by the army, can pursue that fight in Pakistan. A democratic government might be swayed by public opinion, which is opposed to NATO in Afghanistan and the hunt for the Taliban and Al Qaeda in the tribal regions.

For a while the policy worked, more or less: Musharraf kept a lid on domestic dissent in the name of "enlightened moderation" and offered up a steady supply of Al Qaeda and Taliban scalps. Then came the Chief Justice imbroglio of last spring and the realization that the emperor had no populist clothes. And neither had the army. Washington reached for Bhutto. Again, the premise was simple: in return for amnesty on corruption charges—and a seat in government—she and the PPP would lend Musharraf the civilian legitimacy he lacked. "It's a loveless marriage, so the General can combat terrorists and the lady can play democracy," said journalist and historian Ahmed Rashid.

Musharraf's emergency threatens to rend that marriage apart. Washington could reverse it by using its huge financial clout—running at hundreds of millions in military aid a year—to bring the General to heel. Bhutto's three conditions are America's terms for reconciliation. But, make no mistake, they are not about ousting the dictator from Pakistan's politics. They are America's way of keeping him and the army in power. Even so, it's not clear if the General will play ball. Insiders say he prefers the certainty of army command to the vagaries of civilian presidency. In any case, he feels the judiciary is out to get him.

Martial law, or martial law–lite, is not a solution for most Pakistanis. When polled, they are clear: force has to be used against those who spread religion by violence, but development, education and democracy are necessary for those who don't. In all cases, it should be an elected civilian government that decides, not the army or Washington. One thing is certain: Islamic militancy is not born from an overactive judiciary, whatever Musharraf says. It grows from state failure. There is no greater admission of state failure than martial law—and few American foreign policy foul-ups greater than Pakistan. GRAHAM USHER

Graham Usher is the author of Dispatches From Palestine.

Calvin Trillin, Deadline Poet

Rudy G. Responds to Accusations of Using Phony Statistics

"Giuliani's Prostate Cancer Figure Is Disputed"
—Headline in the New York Times

Again, our Rudy G.'s been busted.
(Statistically, he can't be trusted.)
His numbers told such whopping lies
You'd think he might apologize.
But he'd see that as weak and vile.
Apologizing's not his style.
No, being wrong ignites his powder:
He'll say he's right, but say it louder.
And so he did. Supporters cringed.
Our Rudy's tough, or just unhinged.

Nation Notes

It is with deep appreciation that we mark the departure of David Corn, our Washington editor for two decades. David has ably served the magazine as investigative reporter, columnist and general commentator on so many issues, over so many years, that it would be impossible in this short space to do his tenure full justice. From the Iran/*contra* scandal of the 1980s to the Iraq War to Plamegate, from the era of Reagan to that of Bush Jr., in hundreds of articles, columns and blog posts, David has skewered the foibles of Beltway bandits and reported on policy battles and political intrigue for *Nation* readers. With the magazine's support, he broke stories of national importance and wrote several books examining the key issues of our day. David's countless TV and radio appearances for the magazine raised our national profile and attracted new readers, and his work advanced the values long championed by *The Nation*. We wish David the best as he embarks on his next journalistic venture, as Washington bureau chief for *Mother Jones*.

At the same time, we are pleased to announce that Christopher Hayes will become the magazine's new Washington editor. Since 2002, Chris has been reporting and writing on politics, economics and labor for a wide variety of independent publications, including *The American Prospect*, *The New Republic*, *Washington Monthly*, the *Guardian* and the *Chicago Reader*. From 2005 to 2006, Chris was a Schumann Center Writing Fellow at *In These Times*, where he spearheaded the political coverage that won recognition from *Utne Reader* for being the best in the country. He has most recently been a senior editor at *In These Times*, a *Nation* contributing writer and a Puffin Foundation Writing Fellow at The Nation Institute.

Chris is a political reporter and essayist with remarkable range—as demonstrated by his cover stories, comments and blog posts for *The Nation*. He will bring a fresh and distinctive perspective, intellectual curiosity and sophistication, and dynamism to the magazine's coverage of the capital at this critical time in our nation's history. Welcome, Chris.

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All Cowboys Out Now

COMMENT

Jan Schakowsky is one of the few members of Congress who have made confronting the radically privatized war machine a legislative priority. Even before Blackwater operatives gunned down seventeen Iraqis and wounded some twenty-four others in Baghdad in September, propelling the issue of private forces to front-page news, Schakowsky had mercenaries in her scope. Now she is introducing legislation that seeks to end the use of companies like Blackwater in US war zones by 2009. Her Stop Outsourcing Security (SOS) Act "would mandate that all diplomatic security in Iraq be undertaken by U.S. government personnel within 6 months of enactment." It would also allow Congress to view any current security contract greater than $5 million and require government agencies and the military to report the number of contractors employed in Iraq and Afghanistan, any disciplinary actions taken against them, the total cost of the contracts and the number of contractors wounded or killed. "Private contracting companies have forfeited their right to represent the United States," says Schakowsky, asserting that they "put our troops in harm's way, and resulted in the unnecessary deaths of many innocent Iraqi civilians. They have become a liability instead of an asset."

The SOS bill is by far the toughest legislation to target private forces in Iraq, but it is not without problems. There is a loophole that could unwittingly pave the way for an expansion of the US war machine in Iraq. Calling for the government to take over from Blackwater, Triple Canopy and DynCorp could amount to de facto support for the dramatic and unprecedented militarization of the State Department's Bureau of Diplomatic Security. The department's Worldwide Personal Protective Services was originally envisioned as a small-scale bodyguard operation to protect small groups of US diplomats and other US and foreign officials. In Iraq, the Administration has turned it into a paramilitary force several thousand strong. Spending on the program jumped from $50 million in 2003 to $613 million in 2006. Schakowsky chose not to address this issue in her legislation, saying it "deserves a separate bill" and adding that she believes the issue should be investigated. In the absence of such action, her legislation could encourage more spending on what has become a paramilitary squad under the command of the White House.

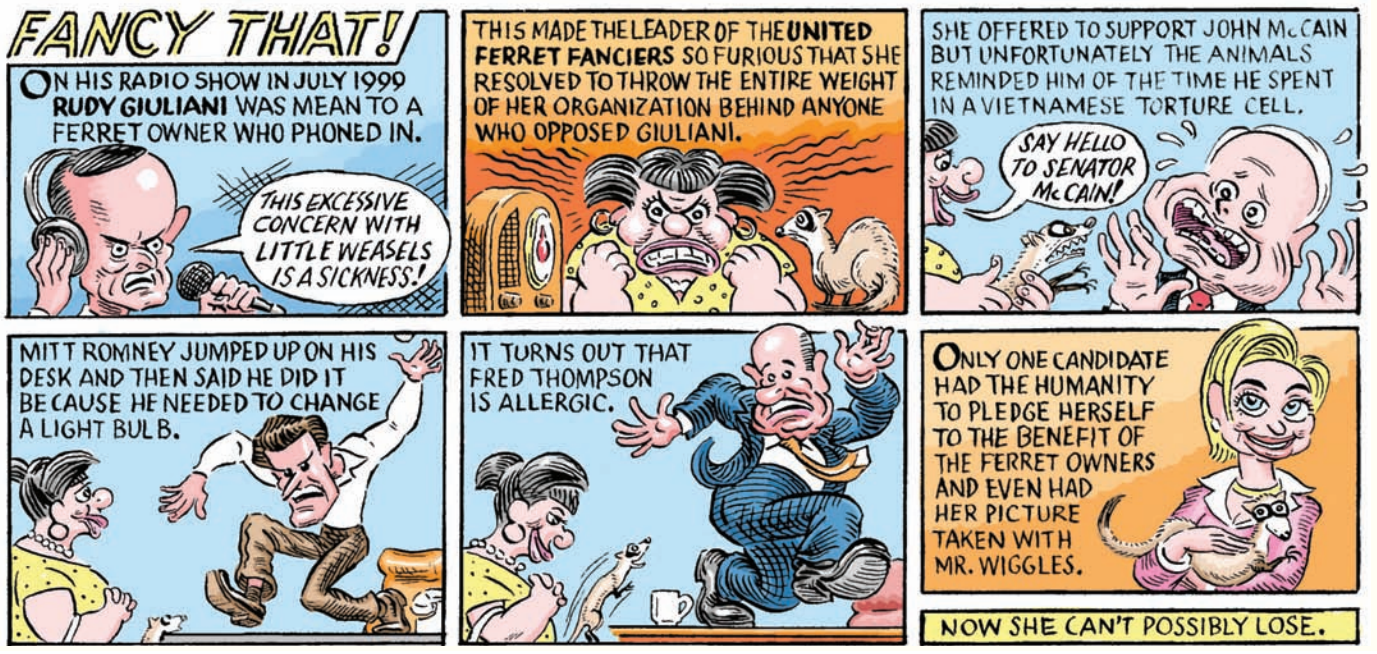
Some Democrats have already been moving in that direction. In an October letter to Secretary of State Condoleezza Rice, Senator Joe Biden, chair of the Foreign Relations Committee, said the Administration should examine "whether we should expand the ranks of Diplomatic Security rather than continue to rely so heavily on contractors." He called for hiring more agents, saying, "The requirement for extensive personal security to protect the employees of the U.S. mission will continue for several years to come—regardless of the number of U.S. forces in Iraq."

Firms like Blackwater operate in a demand-based industry, and it is this demand (which derives from offensive, unpopular wars of conquest) that must be cut off. If the positions filled by private security contractors are simply transferred to government employees without addressing the Administration's use of the diplomatic security division as a way of sneaking even more paramilitary forces into Iraq, it could result in a dangerous expansion of the war apparatus. While Schakowsky has worked tirelessly to hold mercenary companies accountable and now to ban their use by the government, Congress should aggressively investigate the Administration's expanded use of diplomatic security for war-related activities. Blackwater and its ilk are not simply bad apples. They are the fruit of a very poisonous tree. JEREMY SCAHILL

Jeremy Scahill, a Puffin Foundation Writing Fellow at The Nation Institute, is the author of Blackwater *(Nation Books).*

Comix Nation

by ROBERT GROSSMAN


FANCY THAT!
ON HIS RADIO SHOW IN JULY 1999 RUDY GIULIANI WAS MEAN TO A FERRET OWNER WHO PHONED IN.
THIS EXCESSIVE CONCERN WITH LITTLE WEASELS IS A SICKNESS!
THIS MADE THE LEADER OF THE UNITED FERRET FANCIERS SO FURIOUS THAT SHE RESOLVED TO THROW THE ENTIRE WEIGHT OF HER ORGANIZATION BEHIND ANYONE WHO OPPOSED GIULIANI.
SHE OFFERED TO SUPPORT JOHN McCAIN BUT UNFORTUNATELY THE ANIMALS REMINDED HIM OF THE TIME HE SPENT IN A VIETNAMESE TORTURE CELL.
SAY HELLO TO SENATOR McCAIN!
MITT ROMNEY JUMPED UP ON HIS DESK AND THEN SAID HE DID IT BECAUSE HE NEEDED TO CHANGE A LIGHT BULB.
IT TURNS OUT THAT FRED THOMPSON IS ALLERGIC.
ONLY ONE CANDIDATE HAD THE HUMANITY TO PLEDGE HERSELF TO THE BENEFIT OF THE FERRET OWNERS AND EVEN HAD HER PICTURE TAKEN WITH MR. WIGGLES.
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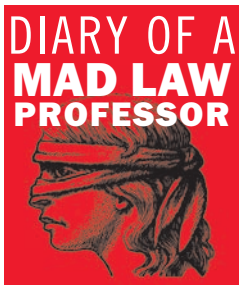
Patricia J. Williams

Judicial Activism in a Time of No Irony

I'm sitting in my office listening to the radio. In Pakistan, President-General Pervez Musharraf has shut down independent media and demanded that judges take an oath to uphold what he calls "provisional" military rule. He has denounced the courts for "judicial activism" in failing to support his suspension of Pakistan's Constitution. He has attempted to dissolve the Supreme Court and all provincial High Courts. Hundreds of opposition leaders and human rights activists have been arrested, including Imran Khan, the former cricket star. Martial law, says Musharraf, is a way to "preserve the democratic transition that I initiated."

A knock at the door. It's a student; his paper is about torture. The subject of torture is a first for me, but apparently I'm among the last on the bandwagon. The young man tells me that every course he's taking deals with torture in one way or another. Should there be judicial warrants for torture? What practices constitute it? Is organ failure an appropriate outer limit? Should state-sponsored torturers be granted immunity from prosecution? How do we reconcile international treaties barring torture? My student and I narrow his topic amid an embarrassment of choices. He decides to analyze a series of opinions by Berkeley law professor and former Justice Department official John Yoo, and I send him on his way.



Until recently, torture was about the only thing every nation on earth condemned. Until recently, there were no such equivocations about it. And until recently, "democracy" meant something other than the power of unchecked violence wielded by either a strongman or a unitary executive.

I turn the radio back on. Judge Michael Mukasey has won Senate Judiciary Committee approval to replace Alberto Gonzales as the highest government representative of "the People" in our collective prosecution of US laws. This, despite Mukasey's belief that the President is bound by no law in defending the country—and that such power may include the ability to lock up US citizens indefinitely, without trial or even charge. Mukasey was approved despite his equivocation about the illegality of techniques like waterboarding—which the United States had heretofore prosecuted as a war crime when committed by others. None other than Senators Dianne Feinstein and Charles Schumer assert that approving Mukasey is a better option than allowing the White House an interim appointment. "Judge Mukasey would be more likely than a caretaker to find on his own that waterboarding is illegal," says Schumer. *On his own*? I wonder why it's even a question: waterboarding, after all, has been recognized as illegitimate since the Spanish Inquisition. As Dahlia Lithwick observes in *Slate*, to "change decades of settled law into unsettled law [is] not independence; it's lawlessness."

I peruse the pictures in the newspaper. It's beguiling. General Musharraf has a nice, friendly-to-America face. He's revoked the Constitution ever so politely, while dressed in civilian garb. He doesn't look like a dictator. No beard, no beret. He doesn't make chopping motions with his hands, and the whites of his eyes do not gleam against the full circles of irises wide with hysteria. No froth adorns his lip. He invokes Abraham Lincoln's rationalizations of executive power to free the slaves—what's not to love!

Judge Mukasey cuts a similarly fetching figure, in or out of his judicial robes. He testifies in dulcet, measured tones. His voice is reassuring and measured. He lays claim to the high ground of not prejudging any issue. Torture? Couldn't say… How reasonable his demeanor. How rude it would be to jump up and shout, "Hold on! You want to be THE Attorney General? And you don't have a clear stance on waterboarding? How about hooding? Dogs chewing on limbs? Electrodes on genitals? And while we're at it, is cannibalism beyond your pale?"

I flip to a story about Pakistan, where thousands of lawyers have taken to the streets. They march and chant in Lahore, Karachi, Multan and Islamabad. Wave after wave they come, in well-educated hordes. Wave after wave, they are swung up by their ankles and wrists and dragged off to prison, garbed in their suits and their ties and their Oxbridge, Harvard and very possibly even Columbia law school degrees.

President Bush sends wishes to Musharraf that he give up his army post "as soon as possible" and praises him as a "strong fighter against extremists and radicals." Bush presses for Mukasey's swift confirmation and deplores Congressional sluggishness in expanding warrantless wiretapping: "There are some," he complains, "who have lost sight of the fact that we are at war with extremists and radicals."

One of the books I turn to repeatedly in these ever-so-well-behaved times is Argentine journalist Jacobo Timerman's slim memoir, *Prisoner Without a Name, Cell Without a Number*. In 1977 Timerman, editor and publisher of *La Opinión*, one of Buenos Aires's most widely read newspapers, was "disappeared" by the military junta, then held and tortured for thirty months. Unlike so many unfortunate others, he survived, and was eventually released and deported to Israel. In wondering how a modern liberal democracy could slide into a totalitarian state with so little public protest, he writes, "I've often asked myself whether democrats believe in the existence of Nazism. The slogans, ideology, beliefs, and myths of Nazism sound so absurd that it's impossible to conceive of Nazis acting with perfect rationality, convinced of their logic, constructing an internal coherence that links events and ideology until it produces hallucinatory results." The terrible losses of the Dirty War "could have been prevented.… What is frightening is to realize how content we feel because we suppose there are deeds that cannot be repeated." Ultimately, he warns, "what obsesses me most is the repetition of silence."

Mukasey asserts that he can't denounce waterboarding because, until the President briefs him on it, it's only "hypothetical." How unworthy of the suit and tie to speak without permission; how rude—how activist indeed—to speak of truth to power. ■

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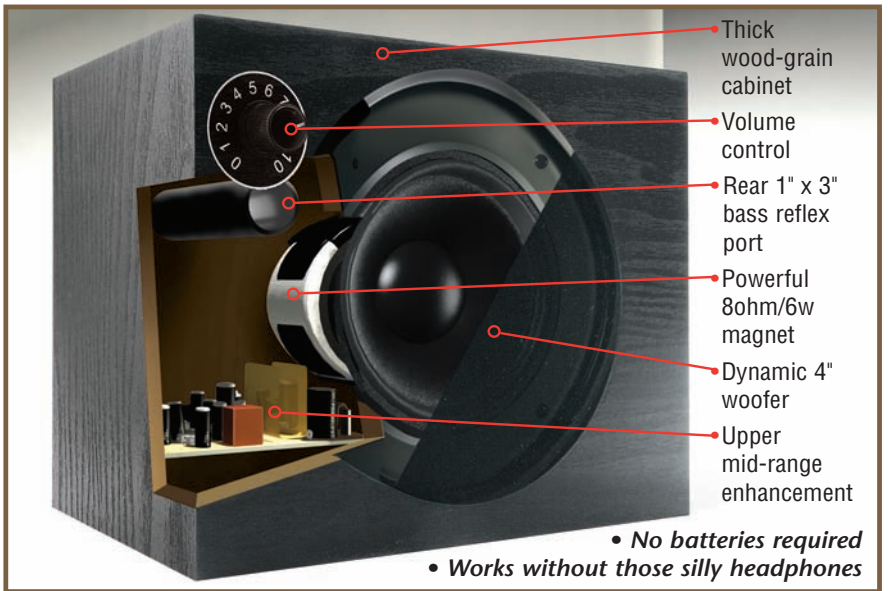

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Eric Alterman

Of Lies, Catfights and *Rock 'n' Roll*

In Tom Stoppard's brilliant new play, *Rock 'n' Roll*, Max, a Marxist academic, explains to his lunch guests that "newspapers are part of the system and truth is relative to that single fact." His former student, a recently jailed Czech dissident, replies, "The propaganda paper and the capitalist press arrive at the same relation to the truth.... Because 'all systems are blood brothers'.... Giving new meanings to words is how systems lie to themselves, beginning with the word for themselves—socialism, democracy.... An invasion becomes fraternal assistance." Whether Stoppard had the US media and the invasion of Iraq in mind I cannot say, as he did not grant my interview request. But almost any honest appraisal of the mores of the US media will find a consistent pattern of deference to the official version of events, regardless of what the available evidence explains.

As often as not, the effect may be entirely unconscious. Take, for instance, the relatively innocuous example of two recent obituaries. When Enola Gay pilot Paul Tibbets died November 1, the *New York Times* repeated Tibbets's contention that "It would have been morally wrong if we'd have had [the atomic bomb] and not used it and let a million more people die." That virtually no reputable historian would put the casualty figure for a US invasion of Japan anywhere near that high (leaving aside the question of whether an invasion would have been necessary) was not mentioned in the story. Similarly, the obituary recounted the furor over the 1995 Enola Gay exhibition at the Smithsonian—in which veterans' groups pressured the museum into censoring the exhibition's relatively fair-minded historical presentation of Harry Truman's decision to drop the bomb on two civilian cities—but failed even to refer to the fact that the veracity of the Smithsonian's original presentation was never seriously questioned by historians. Indeed, the decision to nuke Hiroshima and Nagasaki is presented as so uncontroversial that we read Tibbets's admission that "I wanted to kill the bastards," followed later by his claim that "I viewed my mission as one to save lives," as if no inconsistency is apparent between these two sentiments.

On the same day, another obituary—this one for the one-time Soviet spy Aleksandr Feklisov, who played a trivial role in the Cuban missile crisis—paid tribute to yet another carefully constructed official myth: that of John Kennedy's refusal to trade US missiles in Turkey for Soviet missiles in Cuba. Kennedy made exactly this trade but kept it secret, pretending that all he had done was promise not to invade Cuba. "Some sources believe that a deal for the Russians to remove their missiles from Cuba in return for an American promise not to invade was suggested in one of their conversations," writes the *Times*'s Douglas Martin of Feklisov and his American interlocutor, John Scali. Of course that story was a lie, but it lives on in *Times* obituaries. (The consequences of said lie were the topic of my doctoral dissertation and subsequent book, *When Presidents Lie: A History of Official Deception and Its Consequences*.)

Though official lies will always be with us, our political life has recently been poisoned by an even more insidious phenomenon: the "unrebuttable lie." Stoppard shines his spotlight on this type of lie when, in *Rock 'n' Roll*, a young philosophy professor complains of the journalistic irresponsibility underlying an exposé of the life of early Pink Floyd member Syd Barrett (one that was actually a 1988 "News of the World" story). Here, the young man notes, is a lie that is impossible to rebut because, "To anyone who knows, it's an overheated nonsense, apparently written for people with arrested development, and mindlessly cruel.... But the oddest thing [is that] the cruelty and dishonesty are completely unmotivated, it's just a...kind of style."

In Maureen Dowd's bizarre October 31 *New York Times* column, she lies about Hillary Clinton: "Her husband's sexual behavior, quite apart from the private pain that it has caused her, has also sullied her deepest—and most womanly—ideals and convictions, for the Clintons' political partnership has demanded that she defend actions she knows to be indefensible."

In fact, Dowd's lie is at least partially rebuttable. Senator Clinton has never defended her husband's sexual behavior. Dowd is simply making that up. More interesting are her claims regarding what the senator "knows to be indefensible." How the hell does Maureen Dowd know what Hillary is thinking or how and why she values her marriage? All marriages are mysterious to those outside them, but Dowd—who has never been married and has no children—gives chutzpah a bad name with her unrebuttable lies about Hillary's thoughts and feelings as a wife and mother.

But believe it or not, Dowd is only warming up. Quoting the antifeminist *Atlantic Monthly* essayist Caitlin Flanagan, she piles on, "Ms. Flanagan...was particularly bothered by Hillary's callousness in dumping Socks, the beloved White House cat and best-selling author, on Bill's former secretary Betty Currie."

No, the above is not an *Onion*-inspired Maureen Dowd parody. It is, in fact, a literal catfight in which an allegedly serious *New York Times* columnist quotes an allegedly serious *Atlantic Monthly* writer who complains of the way a presidential candidate treats her daughter's cat. It's almost beside the point that, at least according to Sidney Blumenthal, this story is also a lie. To cruelly mix my animal metaphors, to attempt to rebut this crazy cat tale is by definition to lie down with pigs.

But curiously, as Stoppard observed of Barrett's tormentors, cruel and dishonest as they may be, these lies remain merely a "kind of style." In Stoppard's magnificent play, the catty columnist in question is justly beaten over the head with her newspaper by her prospective daughter-in-law. If only American democracy were more like *Rock 'n' Roll*... ■

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Time to Choose

One of the standard lines uttered at each of the Democratic presidential debates has gone something like this: "Anyone on this stage would be an improvement on the current President." On that we are agreed. But there remains healthy disagreement among progressives, Democrats and independents over who should be the opposition party's nominee. One year before the general election, we invited eight commentators to make their best cases for their chosen Democratic contenders. These comments do not represent the magazine's views; rather, each reflects a complex and personal calculus that weighs varying measures of ideology, integrity, competence, experience and electability. Some of these essays are outright endorsements, while others are more cautious assessments of the strengths of particular candidates. But all serve as reminders that this remains an open and exciting race, even as the window for considering the qualities of the candidates is rapidly closing. The longest preseason in American political history will soon give way to what could well be the fastest nominating process, which could identify a prohibitive favorite for the nomination by early February. Indeed, even without a single vote cast, the media have indulged their tendency to anoint an invincible front-runner. It's far too early to close off debate about a contest in which the stakes are so great for the Democratic Party, the country—and the world.

—The Editors

Joseph Biden

The best fighter, the most quick-witted.

by JOHN NICHOLS

I'm not in the habit of making campaign endorsements, and if I was, I'd probably urge a write-in vote for Russ Feingold, Joe Biden's colleague on the Senate Foreign Relations Committee, who combines Biden's political smarts with a record on military adventurism and civil liberties that's far more to my liking. But I do endorse realism, and as such I can't buy the argument that Biden is significantly less acceptable than the Democratic front-runners. Biden maintains 100 percent ratings from Planned Parenthood, the League of Conservation Voters, Americans United for Separation of Church and State, Citizens for Tax Justice, the Children's Defense Fund and the NAACP; and 93 percent from the AFL-CIO—these numbers are every bit as liberal as his competitors'.

I don't forgive Biden's wrong vote to authorize George W. Bush's attack on Iraq, but neither do I forgive those of Hillary Clinton and John Edwards. Unlike either of them, Biden tried to constrain the Administration when he and Senator Richard Lugar fought in 2002 to require diplomatic efforts before military options could be considered. As Foreign Relations Committee chair, Biden remains far more engaged than his opponents in the debate about how to address the Iraq crisis. That does not mean his "solutions" are better, but it does mean he is more agile than most Democrats when it comes to debating policy.

It is, to be sure, a hard-won agility. Biden has more bruises than his fellow Democrats because he has gotten in the ring more often than most of them. His bruises are the marks of experience and determination, which ought not to be underestimated. At a time when too many Democrats are prone to pulling punches, he knows how to throw them. No Democrat with an eye on the 2008 prize failed to thrill when Biden used an otherwise forgettable October debate to kneecap the GOP front-runner. While the other Democrats poked one another to uninspired effect, Biden ridiculed Rudy Giuliani for waging a campaign based on "a noun, a verb and 9/11." This was Biden at his best: fast on his feet, muscularly partisan, devastatingly effective at tossing barbs. These strengths have kept the Delaware senator on the national scene for thirty-five years, and they make him the most quick-witted of this season's Democratic contenders.

Of course, Biden is not always at his best, as a failed 1988 presidential quest and several false starts since then can attest. He's a big talker, and he's made some big gaffes. But no Democratic contender has been so steadily "on" during this campaign. And even if Biden's poll numbers remain soft, that October debate confirmed his ability to stir things up.

In the bloodsport competition for the presidency, Biden's flair for finding the GOP jugular ought to count for something among Democrats who grumble about their last two nominees' failure to play offense. Of an old breed of Democrats who fought their way out of the back rooms of urban East Coast politics, Biden beat an entrenched Republican to enter the Senate, held his seat during GOP

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landslide years, used his Judiciary Committee chairmanship in the 1980s to block some of Ronald Reagan's Supreme Court nominees and corporate-sponsored tort "reform," and not only wrote the Violence Against Women Act but got it reauthorized by two Republican-led Congresses. Biden is best understood as a relatively rare political archetype: a Democrat who pays less attention to internal party politics than to winning elections and governing. This skill makes him the one Democrat Republicans feel compelled not merely to attack but to answer. That's because Biden has so far been the one Democrat who has consistently understood the importance of taking the fight to the other guys. ■

Hillary Clinton

A progressive who can win—and govern.

by ELLEN CHESLER

The stakes could not be higher. The treacherous reign of Bush-Cheney has seriously weakened our democracy. To the "war on terror" we have been asked to sacrifice fundamental human rights and civil liberties. Meanwhile, a newly conservative Supreme Court majority ruthlessly guts longstanding state obligations to protect equal rights and expand opportunity. Abroad, the good will America briefly enjoyed after 9/11 has been squandered by Bush's cowboy diplomacy.

Democrats must win in 2008. We must take back the White House with a candidate who adheres to core progressive principles but is also able to build coalitions and sustain majorities across ideological and partisan divides—first to win and then to govern successfully.

Hillary Clinton is that candidate. She is intelligent, energetic and disciplined. She has shown herself to be warm and likable. She has turned an interminable campaign into an asset through effective campaigning and six stellar debate performances. She stumbled momentarily in the seventh round under withering personal attack by six angry men. Next time out, she will definitely need those flashy boxing gloves her AFSCME endorsers provided afterward.

But she will prevail, just as she did in her Senate races, the second of which she won with an astonishing 67 percent of the vote, taking thirty-seven of the forty-one "red" counties in New York that George W. Bush carried two years earlier. Indeed, she may be the most electable of the Democrats—and not because she "stands for nothing," as the chattering classes often allege. Rather, Clinton wonkishly acknowledges the complexity of issues and modestly admits to not having all the answers. She has learned to respect people with whom she disagrees and to succeed within a system that requires compromise. She works hard and exudes competence and integrity. Ordinary voters, and especially independent women whose swing votes will determine the outcome of this election, find this a relief. They are tired of overweening ego and bluster in politics. These women, along with disenchanted Republicans and many others who have never voted before but are registering in large numbers this time, will provide the margin of her victory.

But what of Clinton's core convictions? A common canard, often repeated in these pages, is that she's not a true progressive. But actions speak louder than words. Her voting record measures up well on scorecards compiled by the major-labor unions, the ACLU, Americans for Democratic Action, Planned Parenthood and other progressive organizations.

Indeed, Clinton has been an outspoken advocate for raising the minimum wage. Though a longtime supporter of free trade, she endorses policies that enforce stronger labor and environmental standards abroad, and she voted against the Central American Free Trade Agreement. Her green energy agenda, partially financed by taking away tax breaks for oil companies, will create thousands of jobs. With nearly half the labor force now women, she is leading efforts to achieve pay equity. Influential as First Lady in passing the Family and Medical Leave Act, she now proposes paid leave and greater workplace flexibility. She supports universal preschool education. Pushing tax fairness, she announced early on that she would crack down on loopholes for Wall Street fund managers.

Universal healthcare is, of course, her signature issue. Her plan ends Bush-era tax breaks to the very rich in order to expand Congress's own healthcare plan to cover the country's nearly 50 million uninsured, while leaving in place private options for those content with what they already have. Her proposal builds in important regulations on private insurers—capping administrative costs and prohibiting cherry-picking on the basis of pre-existing conditions, genetic testing or other forms of discrimination. As First Lady, she lobbied intensely for S-CHIP, which provides health coverage to children in poor working families. As a member of the Senate Armed Services Committee, she fashioned a bipartisan consensus to expand health coverage to uninsured veterans and their families.

Understandably sensitive to concerns about security, Clinton argues nonetheless that we can be safe and free. She led Democrats in the fight to restore habeas corpus rights to Guantánamo detainees held under the Military Commissions Act of 2006. Cajoling votes on both sides of the aisle, she came within several votes of beating back last year's legislation, winning praise from the Center for Constitutional Rights.

Clinton deserves special praise for her impassioned opposition to Supreme Court nominees John Roberts and Samuel Alito and to Attorney General nominee Michael Mukasey. She's inventively exposed the Bush Administration's assault on scientific integrity in evaluating stem cells, abstinence-only sex education, emergency contraception and abortion. By placing a

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hold on confirmation of the President's FDA appointee, she was able to gain over-the-counter access for the morning-after pill.

Some progressives cannot forgive her Iraq War vote, no matter how forcefully she now condemns the futility of the American effort and calls for a responsible withdrawal of our troops. Today we need to concentrate on how to exit Iraq and engage the UN in restoring order to the country. We need to address the Herculean task of returning professionalism and integrity to our own battered diplomatic and intelligence agencies and to our military. Clinton has the experience and stature to lead in the diplomatic talks she endorses with states like Iran and North Korea. She will restore our once-proud leadership in global efforts to alleviate poverty, promote health and sustain the environment. Recent clamor over a nonbinding resolution on Iran—which most Democrats supported and Barack Obama did not even vote on—should be understood as little more than disingenuous political theater.

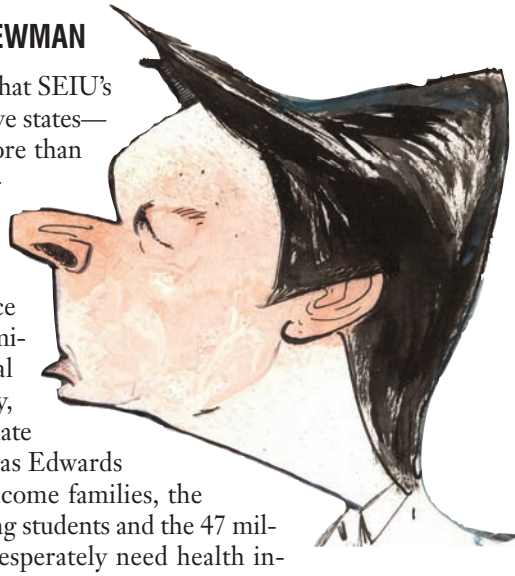
And one more thing. I am supporting Hillary Clinton because I think she is the best candidate for this job, but I shamelessly want her to win because she is a woman. Obama tells me to get over my baby boomer fixations, but I look at the Supreme Court today, and I say not yet. I came of age in the 1960s and have spent a lifetime advancing women's rights and opportunities. Nothing will give me more confidence that those efforts are secure than to have Hillary Clinton choose my next Justice. ■

Ellen Chesler is Distinguished Lecturer at Hunter College/CUNY. Woman of Valor, *her biography of Margaret Sanger, has just been re-released by Simon & Schuster in paperback.*

John Edwards

Like FDR, he's the real deal.

by KATHERINE S. NEWMAN



The recent news that SEIU's chapters in twelve states—representing more than a million workers—endorsed the candidacy of John Edwards is a loud wake-up call. The race for the Democratic nomination is still that: a real race. For my money, there is no other candidate who will work as hard as Edwards for the nation's low-income families, the working poor, struggling students and the 47 million Americans who desperately need health insurance. Organized labor sees him the same way, which is why he has garnered this seal of approval and the boots on the ground that it represents—even in the face of the Clinton juggernaut. They know that Edwards is the candidate who can actually win the general election, the one who is thinking about people like them.

I chatter, chatter as I flow to join the brimming river, for men may come and men may go, but I go on forever.

- Lord Tennyson

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THIS HOLIDAY SEASON

Katrina vanden Heuvel,
Editor & Publisher
of *The Nation*

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They know because Edwards stood with them through every state-level campaign to raise the minimum wage long before he announced a run for the White House. They know because he was first out with a health insurance plan that actually provides universal coverage while acknowledging what we all know to be true: the Bush-era tax cuts for the wealthiest Americans will have to be rolled back to pay for it. And they know because he has been solidly, unambiguously in favor of withdrawing from Iraq, even as the Democratic Party has tacked back and forth on the issue, despite overwhelming public support for ending the war.

I first met Edwards at a gathering at the University of North Carolina's Center on Poverty, Work, and Opportunity. Hurricane Katrina had devastated the Gulf Coast only a few months before and exposed the "two Americas" of which Edwards had spoken throughout the 2004 campaign. He called the country's experts together—across party lines—to debate the causes, consequences and remedies for poverty in an era of unprecedented wage inequality. For two days we discussed what should be done to enhance the mobility of the working poor, how we should deal with the competition from low-wage countries like China and what the trends in out-of-wedlock births mean for single mothers below the poverty line.

Most politicians would have given their obligatory keynote address and retired to the comfort of their leather chairs. Edwards stayed the whole time, ran virtually all of the sessions, asked intelligent questions, probed for more practical answers and stuck around to talk with the presenters about how to cull from their academic research workable ideas that could form the basis of a campaign that has as its centerpiece the eradication of poverty in this wealthy nation.

My conversations with Edwards persuaded me that he is the genuine article. Some doubt his commitment because they think a wealthy trial lawyer is not a credible force on behalf of the dispossessed. The next time *Nation* readers are tempted to think this way, I suggest they take a ride up to Hyde Park and check out the sprawling Hudson River mansion FDR called home. No greater contribution to the welfare of the indigent, the elderly, the unemployed and the sick has ever been made than that which Roosevelt enshrined in the New Deal. Notwithstanding the New Deal's flaws (and there were many), the social policy triumphs of the 1930s stand as an exemplar of what can be done when the will is there. If those victories could be catalyzed by one of the richest men ever to occupy the White House, then it can be done again by a self-made millionaire who earned his fortune attacking negligent corporations in the courtroom.

But enough of the cheerleading based on background. What exactly does Edwards propose to do for the country's low- and moderate-income families? First, he tells us, we must raise the minimum wage to $9.50 an hour by 2012 and put legislation in place to ensure that it does not fall behind again. Second, he proposes the creation of public employment opportunities for those who cannot find jobs because they live in rural areas, blighted neighborhoods or communities without transportation.

He stands with organized labor, even as it has taken body blows over the past forty years. Despite opinion polls showing that workers want union representation, the ranks of unions are dwindling. Why this disconnect? Edwards has part of the answer: the rules governing the organizing process were written to favor management. Edwards has endorsed the Employee Free Choice Act, which will give workers a chance to organize and use their clout to increase their wages and benefits. At a time when the gap between CEOs and the rank and file is at an all-time high, this is a critical first step toward returning to workers a fare share of what their extraordinarily high productivity has contributed to the bottom line.

And while we're at it, how about focusing some attention on the regulatory structure that ensures we have safe food, clean water and working conditions that do not expose employees to hazardous chemicals? The protective legislation we rely on is all but devoid of enforcement capacity as a result of budgetary strip mining. Inspectors are disappearing, fines are not levied or enforced and families have to worry about whether the spinach on the table is safe to eat. Edwards is the only candidate who has emphasized the importance of targeting abusive industries that sacrifice worker safety and public health.

Edwards has also made serious, imaginative proposals for improving public schools, protecting people from predatory lenders, increasing college access and extending the school system to incorporate the millions who have dropped out and need a second chance. These are not pie-in-the-sky ideas or handouts: they are sound investments in the fiscal health and educational well-being of the country.

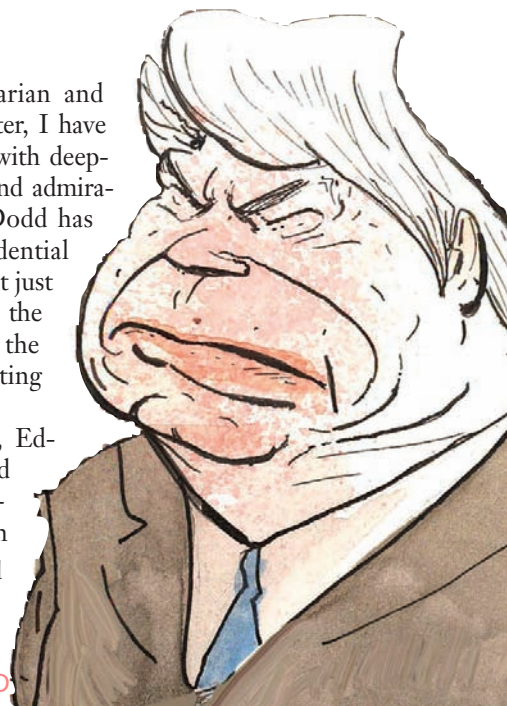
There is every reason to expect that the Democrats will end up with solid majorities in the House and Senate in 2008. We need a President who will grab this brass ring. We should not squander the opportunity on tepid, middle-of-the-road, blow-with-the-wind candidates who will be too busy trying to paint themselves as tough on crime or hard-nosed on Iran to seize a chance that may not come again in our lifetime. ■

Katherine S. Newman is the co-author of The Missing Class: Portraits of the Near Poor in America.

Christopher Dodd

Strongest on human rights and civil liberties.

by BRUCE SHAPIRO



As a civil libertarian and Connecticut voter, I have been watching with deepening interest and admiration as Chris Dodd has honed a quixotic presidential crusade as if he were not just the senior senator from the Constitution State but the senior senator representing the Constitution itself.

Dodd—like Clinton, Edwards and Biden—failed the great political leadership test of the Bush era, voting for the Iraq War. But in ways far

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more specific and uncompromising than his rivals, and without a breath of Clintonian equivocation, Dodd has been fighting to redeem himself and undo the damage of the "war on terror." On human rights, war crimes and civil liberties issues, Dodd has been laying down all the markers. Nowhere was this clearer than when he announced he would block any Senate vote to immunize telecom companies for participating in illegal taps. His stance immediately changed the terms of debate over upcoming revisions to the Foreign Intelligence Surveillance Act, ensuring accountability for recent abuses. Torture? Dodd wants to cut off funding for the Office of Legal Counsel if it doesn't release its memos on interrogation. He was one of the first to oppose Attorney General–designate Michael Mukasey for his evasions on waterboarding and presidential authority to override human rights laws: Dodd's Restoring the Constitution Act would ensure that habeas corpus protections apply to all people in US custody; it would also prohibit the use of evidence gained through coercive interrogation and put violations of the Geneva Conventions securely under the War Crimes Act.

While Dodd is hardly blemish-free (he's deeply and disturbingly tied to the banking and finance industries, for instance), it is hard to find an elected official with a more consistent record of support for progressive social policy. Dodd, who crafted the Family and Medical Leave Act, is the Senate's great champion of child-centered healthcare reform. On that issue everyone else, including Hillary, is just playing catch-up.

But it is war crimes abroad and civil liberties at home that obsess Chris Dodd today, an obsession explicitly grounded in the labors his father, Tom Dodd, undertook as a prosecutor at Nuremberg. Tom Dodd is remembered today mostly for the ethical blindness that ended his Senate career; in linking the lessons of Nuremberg to the era of waterboarding and Guantánamo, Chris Dodd seems at times to pursue redemption for son and father alike.

Will I vote for Chris Dodd? I don't know. But I do think his campaign deserves attention and respect. Dodd is doing what progressives and civil libertarians always say they want a presidential candidate to do: refusing to compromise on human rights and demanding accountability for atrocity. This year, that's the platform that counts. ■

Bruce Shapiro, a Nation *contributing editor, is executive director of the Dart Center for Journalism and Trauma.*

Mike Gravel

An inconvenient truth-teller.

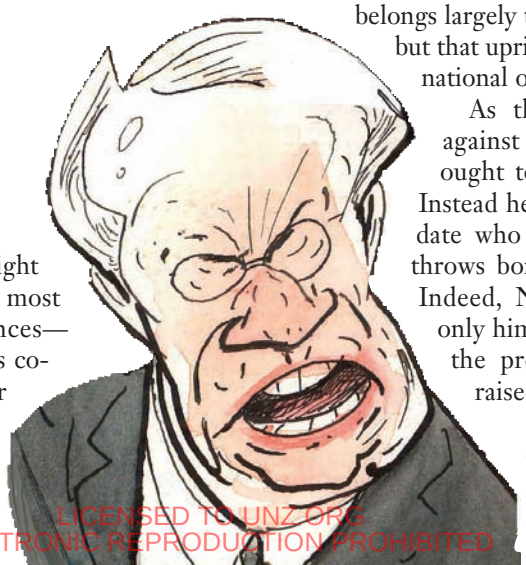
by RICHARD KIM

"The abrogation of the people's right to know—one of the system's most important checks and balances—caused this nation to make this colossal mistake of waging a war that has nothing to do with our security, individually or as a nation."

Mike Gravel wrote those words not about Iraq now but about Vietnam in 1972. Back then, he was one of the most passionate, eloquent and daring opponents of the war and of the executive secrecy and Congressional complicity that allowed the war to continue long after public support for it had collapsed. Today, even as the nation experiences an eerie déjà vu, it seems to have forgotten the most crucial lessons of Vietnam. Mike Gravel has not. He is every bit as resolute in his resistance to war now as he was then, and of all the presidential candidates he is the most steadfast critic of the principle of American imperialism, which spawned both catastrophes.

Gravel's courage was on magnificent display in the summer of 1971 when, as a 41-year-old first-term senator from Alaska, he conducted a one-man, five-month filibuster against renewal of the draft—much to the consternation of the Democratic leadership, many of whom opposed the war in theory but were too timid to end the President's ability to wage it. His defiance caught the eye of Daniel Ellsberg, who had leaked the Pentagon Papers to the *New York Times*. Having published an excerpt, the *Times* was under a court injunction (pursued by Nixon) to prevent further publication of the Papers. Ellsberg figured that if a senator read the Papers during a meeting of Congress, they would become a matter of public record, and the senator would be immune from prosecution under the "speech or debate" clause (nobody was sure then about this last part). Ellsberg approached antiwar Senators McGovern, Fulbright and Nelson, but after he was rebuffed or stonewalled by all, he turned to Gravel, who on June 29 began reading the Papers in a special session of the buildings and grounds subcommittee (the only body he could convene). Exhausted from his filibuster, hampered by dyslexia, voice cracking and tears streaming, Gravel was forced to stop at 1:12 AM, but not before he had placed 4,100 pages of the Papers into the record.

Over the next few days, newspapers reported "dismay, shock and chagrin" at the "impetuous Senator" and warned of possible punishment, including expulsion from the Senate. Though Gravel was never prosecuted, Ellsberg was indicted for theft and espionage. An aide to Gravel and Beacon Press—which published the Pentagon Papers as the Senator Mike Gravel Edition (edited by Noam Chomsky and Howard Zinn)—were investigated by the Justice Department, which Gravel fought all the way to the Supreme Court. The draft was eventually ended in 1973, and America's military involvement in Vietnam came to a close in 1975. Credit for this historic reversal belongs largely to the clamorous antiwar movement, but that uprising found a true and brave friend in national office in Mike Gravel.



As the Iraq War continues unabated against the will of the people, Democrats ought to look to Gravel as an inspiration. Instead he is treated as a joke, a fringe candidate who makes puzzling YouTube ads and throws bombs at his more prosperous rivals. Indeed, NBC recently barred Gravel—and only him—from a presidential debate under the premise that his campaign had not raised $1 million.

The fact is: Mike Gravel is funny, outlandish and honest—often bru-

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Back in 1933, the single most important watch ever built was engineered for a quiet millionaire collector named Henry Graves. It took over three years and the most advanced horological technique to create the multifunction masterpiece. This one-of-a-kind watch was to become the most coveted piece in the collection of the Museum of Time near Chicago. Recently this ultra-rare innovation was auctioned off for the record price of $11,030,000 by Sotheby's to a secretive anonymous collector. Now the watch is locked away in a private vault in an unknown location. We believe that a classic like this should be available to true watch aficionados, so Stauer replicated the exact Graves design in the limited edition Graves '33.

The antique enameled face and Bruguet hands are true to the original. But the real beauty of this watch is on the inside. We replicated an extremely complicated automatic movement with 27 jewels and seven hands. There are over 210 individual parts that are assembled entirely by hand and then tested for over 15 days on Swiss calibrators to ensure accuracy. The watches are then reinspected in the United States upon their arrival.

27 jewels and 210 hand-assembled parts drive this classic masterpiece.

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tally so. He's said that American troops "died in vain" in Vietnam and Iraq, derided his fellow Democrats as "gutless wonders" and advised Americans to "grow up," pay more for gas and "get off the dependency in the Middle East." He bucked the strain of American nationalism—so prominent during election season—when he observed that "our leaders are promoting delusional thinking when boasting that the United States and Americans are superior to the rest of the human race." He's even had the nerve to tell Americans that they are "getting fatter and dumber."

So discomforting has been his campaign that it would be convenient for many—especially the leading Democratic contenders—if he were ushered offstage. But the rush to dismiss his candidacy reveals a more unnerving fact—sometimes the truth hurts, so much so that it can only be accommodated as a hyperbole, an outrage, a joke.

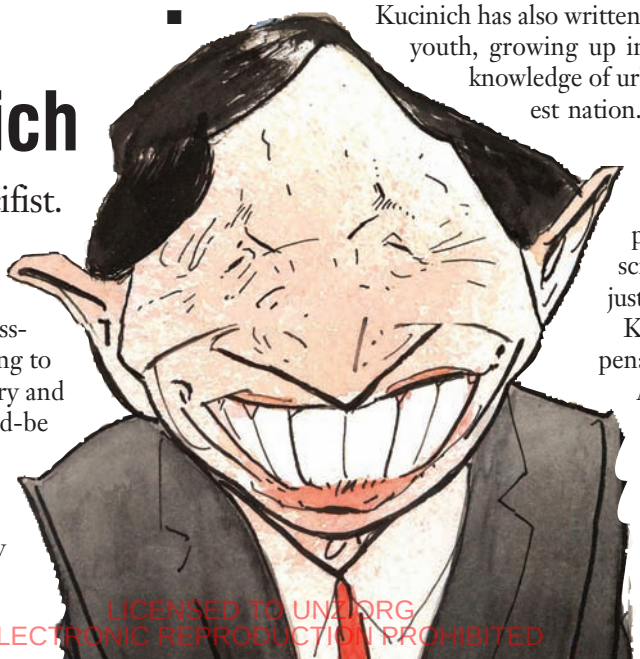
But on many issues that matter to this magazine, Gravel's positions cannot be laughed off. He is avowedly prochoice and pro–gay rights. He supports universal healthcare, affirmative action, citizenship for immigrants and campaign finance reform. He's against the death penalty and the "war on drugs." He wants to make fighting global warming a national priority and to cut the military budget in half. In regard to the Iraq War, he supports immediate withdrawal and reparations for the Iraqi people.

In this presidential race's cynical calculus of probability, we are told to abandon any candidate who drifts to the left of what the media have deemed electable. But if there is any virtue in a drawn-out campaign season, shouldn't it be that it gives us more time to cling to our truest values? In reality, Mike Gravel will never win the Democratic nomination, and his daffiest proposals (the National Initiative and the abolition of the income tax in favor of a progressive sales tax) will never become policy. But in his unvarnished candor about the political process and visible frustration at America's willingness to wage illegitimate war, Gravel is a bracing left presence on the campaign trail. As such, he will be forced to bow out sooner rather than later. When he does, I'll switch my allegiance to the least objectionable candidate remaining, until a year from now, when I'll vote for the Democrat left standing. But isn't it nice, for the time being, to support a candidate you actually agree with? ■

Dennis Kucinich

A farsighted populist and pacifist.

by GORE VIDAL



For the past two years I've been criss-crossing the United States speaking to crowds of people about our history and politics. At the same time, would-be Presidents of the greatest nation in the country, as silver-tongued Spiro Agnew used to say, have been crowding the trail, while TV journalists sadly shake their heads at how savage the politicos have become in their language. But then, it is the task of TV journalists to foment quarrels where often none properly exist.

As I pass through the stage door of one auditorium after another, I now hear the ominous name of Darth Vader, as edgy audiences shudder at the horrible direction our political discourse has taken. Ever eager as I am to shed light, I sometimes drop the name of the least publicized applicant to the creaky throne of the West: Dennis Kucinich. It takes a moment for the name to sink in. Then genuine applause begins. He is very much a favorite out there in the amber fields of grain, and I work him into the text. A member of the House of Representatives for five terms since 1997, although many of his legislative measures have been too useful and original for our brain-dead media to comprehend. I note his well-wrought articles proposing the impeachment of Vice President Cheney, testing the patriotic nerves of his fellow Democrats, but then the fact of his useful existence often causes distress to those who genuinely hate that democracy he is so eager to extend. "Don't waste your vote," they whine in unison—as if our votes are not quadrennially wasted on those marvelous occasions when they are actually counted and recorded.

Meanwhile, Kucinich is now at least visible in lineups of the Democratic candidates; he tends to be the most eloquent of the lot. So who is he? Something of a political prodigy: at 31 he was elected mayor of Cleveland. Once he had been installed, in 1978, the city's lordly banks wanted the new mayor to sell off the city's municipally owned electric system, Muny Light, to a private competitor in which (Oh, America!) the banks had a financial interest. When Mayor Kucinich refused to sell, the money lords took their revenge, as they are wont to do: they refused to roll over the city's debt, pushing the city into default. The ensuing crisis revealed the banks' criminal involvement with the private utility of their choice, CEI, which, had it acquired Muny Light, would have become a monopoly, as five of the six lordly banks had almost 1.8 million shares of CEI stock: this is Enronesque before the fact.

Mayor Kucinich was not re-elected, but his profile was clearly etched on the consciousness of his city; and in due course he returned to the Cleveland City Council before being elected to the Ohio State Senate and then the US Congress. Kucinich has also written a description of his Dickensian youth, growing up in Cleveland. He has firsthand knowledge of urban poverty in the world's richest nation. Born in 1946 into a Croatian Catholic family, by the time he was 17 he and his family had lived in twenty-one different places, much of which he describes in Dreiserian detail in a just-published memoir.

Kucinich is opposed to the death penalty as well as the USA Patriot Act. In 1998 and 2004 he was a US delegate to the United Nations convention on climate change. At home he has been active in Rust Belt affairs, working to preserve the

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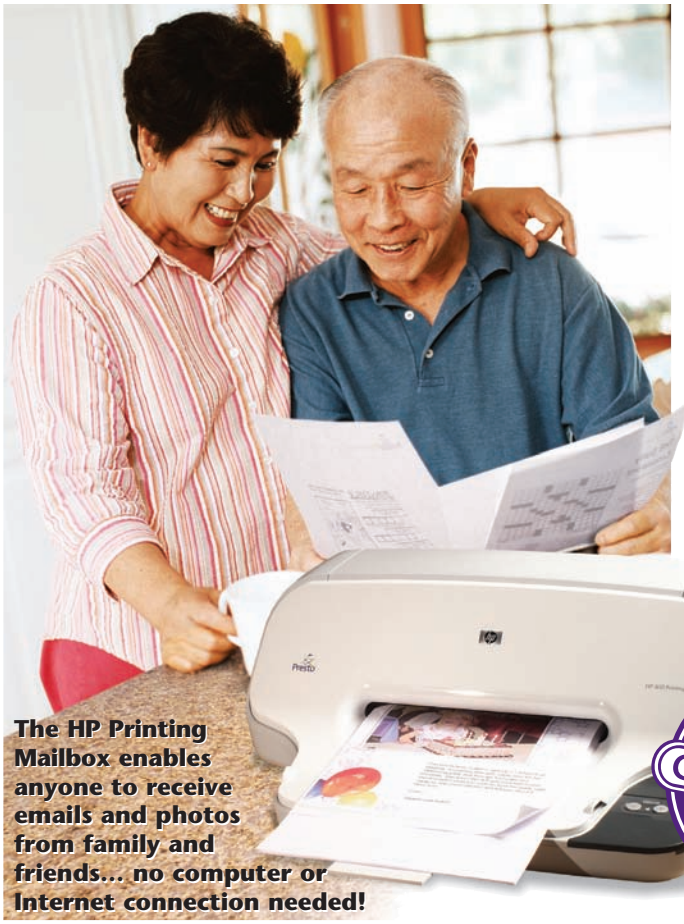
Family Communication Breakthrough

If Mom can plug in a toaster, you can send her email and photos!

By June Fleming

If you're like me, you're part of the "Sandwich Generation." I have two grown kids…and two grown parents. My kids and I keep in touch all the time, mostly through email. They send me updates on everything from jobs, vacations, and photos of their kids' newest milestones. Keeping in touch with my parents is different. Sure, I call them a lot, but they live thousands of miles away, so I feel like they miss out on the email and the photos I get. I could buy them a computer, but who wants the hassle and the expense? Plus, they'd never use it. As Mom says… "The Information Superhighway doesn't have an off ramp at my house." I felt like my parents were missing out. Then, a good friend told me about the HP Printing Mailbox with Presto Service. Now I can send my folks email and photos everyday with none of the hassles of a computer.



The HP Printing Mailbox enables anyone to receive emails and photos from family and friends… no computer or Internet connection needed!

Get back in touch. Even though my parents live far away, I send them Presto Mail almost every day. Whether it's a picture, a funny joke, or just a note saying, "Hi, we love you," they say the HP Printing Mailbox has been a real joy. Email and photos print out in full color, so they can watch my little ones grow. They can even sign up to get articles, puzzles, and games… delivered right to their family room.

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ninety-year-old Cleveland steel industry, a task of the sort that will confront the next President should he or she have sufficient interest in these details.

I asked a dedicated liberal his impression of Kucinich; he wondered if Kucinich was too slight to lead a nation of truly fat folk. I pointed out that he has the same physical stature as James Madison, as well as a Madisonian commitment to our 1789 Constitution; he is also farsighted, as demonstrated by his resolute opposition to Bush's cries for ever more funding for the illegal wars in Iraq and Afghanistan. More to the point, in October 2002 he opposed the notion of a war then being debated. For those of us at home and in harm's way from disease, he co-wrote HR 676, a bill that would insure all of us within Medicare, just as if we were citizens of a truly civilized nation. ■

Gore Vidal, a longtime Nation *contributing editor, is the author, most recently, of* Point to Point Navigation: A Memoir.

Barack Obama

A visionary candidate for a new America.

by MICHAEL ERIC DYSON

Ever since he thundered into our collective consciousness with an electrifying speech before the 2004 Democratic National Convention, Barack Obama has breathed new life into American politics. He has revived the hope of millions that their elected leaders would dare to dream outside the rigid categories and earthbound aspirations that hold too many politicians captive. Though his written word sings and his spoken word soars on the wings of renewed faith in the democratic process—and how we need such renewal in an ugly age of despotic indifference to freedom's true creed—Obama's eyes are fixed on what we can make together of our national future.

For a clue to what makes Obama stick and tick, one need look no further than his training in the trenches of community organizing. As Ronald Reagan practiced what Vice President George Bush would call "voodoo economics"—supply-side theories wrapped in tax cuts for the wealthy—Obama exited the Ivy League corridors of Columbia University in 1983 and, after a brief and unsatisfying stint on Wall Street, headed straight for the 'hood. On the South Side of Chicago, he worked with a church-based group that sought to speak to poverty by understanding the language of its painful expression in crime and high unemployment. Obama rolled up his sleeves—something he was used to in satisfying his basketball jones on the courts of many a concrete jungle—and applied elbow grease and hard thinking to the persistent ills and unjust plight of the poor. Such practical training in relieving the burdens of the beleaguered will stand him in good stead as leader of the free world—as the poignant memory of the most afflicted replays in his mind.

Young Obama soon learned the limits of local remedies, however, and imagined how law and politics might help him positively change the lives of the vulnerable at the national level. While Reagan spread skepticism about government as a political mantra, Obama's hopeful—but far from naïve—belief in the political process sent him to Harvard Law School in the late '80s, with a round-trip ticket back to Chicago, where he served as an Illinois State Senator for eight years before entering the US Senate in 2004.

If Obama's community organizing and work in the Illinois Senate—especially his bipartisan efforts to earn families across the state more than $100 million in tax cuts, his advocacy of legislation in support of early childhood education and his opposition to racial profiling—offer a glimpse into his political pedigree, so does his stay in the US Senate. Obama has fought for disability pay for veterans, worked to boost the nonproliferation of deadly weapons and advocated the use of alternative fuels to cure our national addiction to oil. He has spoken out against the vicious indifference of the Bush Administration to the poor—and to political competence—in the aftermath of Hurricane Katrina, and he has rallied against genocide in Darfur. Long before it was popular, he stood against the war in Iraq as a futile gesture of American empire that would do little to beat back the threat of terror. Sadly, he has been proved prophetic.

If Obama's credentials for the highest office in the land have been gained in the give-and-take of community organizing and power politics, his belief in the American people—a reflection, in part, of the profound belief they have invested in him—derives from his molding in the crucible of various cultures, colors and communities. Obama's multiracial roots and multicultural experiences are not a liability; instead, they offer him an edge in the national effort to overcome the poisonous divisions that plague the American soul. His fascinating mix of race and culture shows up in lively fashion—including his love for the upper reaches of Abraham Lincoln's emancipating political vision, as well as his compassion for the black boys and girls stuck on the lowest rung of the ladder of upward mobility. That he is aware of race without being its prisoner—that he is rooted in, but not restricted by, his blackness—challenges orthodoxies and playbooks on all sides of the racial divide and debate. But it also makes him curiously effective in the necessary pledge to overcome our racial malaise by working to deny it the upper hand in restoring our national kinship.

Barack Obama has come closer than any figure in recent history to obeying a direct call of the people to the brutal and bloody fields of political mission. His visionary response to that call gives great hope that

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Professor Timothy Taylor is Managing Editor of the *Journal of Economic Perspectives,* a quarterly academic journal produced at Macalester College and published by the American Economic Association. He received his master's in Economics from Stanford University. At Minnesota, he was Teacher of the Year for Hubert H. Humphrey Institute of Public Affairs master's degree students.

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he can galvanize our nation with the payoff of his political rhetoric: a substantive embrace of true democracy fed by justice—one that balances liberty with responsibility. It is ultimately the hard political lessons he has learned, and the edifying wisdom he has earned—and is willing to share—that make Obama an authentic American. He is our best hope to tie together the fraying strands of our political will into a powerful and productive vision of national destiny. ■

Michael Eric Dyson, who teaches theology, English and African-American studies at Georgetown University, is the author of Know What I Mean?

Bill Richardson

The broadest experience, smart on Iraq.

by ROCKY ANDERSON

This is a pivotal, dangerous time for our nation. We are in dire need of principled, courageous leadership. In seeking that leadership, we have an obligation to be principled ourselves in setting criteria as to whom we are willing to support for President. Will we support candidates who voted to give Bush a blank check to engage in an illegal war of aggression? Or candidates who supported continued funding for the occupation? What about candidates who refuse to pledge withdrawal of US troops from Iraq?

Do we have a moral line beyond which we will not support a presidential candidate, or will we support a "leading" Democrat, regardless of our own principles?

If ending the tragic, self-destructive occupation of Iraq is indeed a line-in-the-sand issue, only Bill Richardson stands out among the leading candidates as the choice for President.

While Hillary Clinton, Barack Obama and John Edwards refuse to pledge an end to the occupation, even by 2013, Bill Richardson commits clearly to pulling out all US troops. He recognizes that the occupation is widely despised, aiding in the recruitment of terrorists beyond Osama bin Laden's wildest dreams. With Clinton, Obama or Edwards, we will get more of the same: many billions of dollars spent on ruinous military efforts, with more hatred toward the United States, more terrorism, and more death and destruction. If you can't support that result, let it be the line beyond which you will not step in supporting any candidate who is on the wrong side.

It is not a question of victory or defeat in Iraq. It is a matter of finally ending the tragedy, waste and disgrace of digging deeper and deeper into the neocon abyss. This is an abyss made possible by the reckless war-resolution votes of senators like Clinton and Edwards, neither of whom bothered to read the October 2002 National Intelligence Estimate before voting. Had they read the NIE, they would have learned of the vast disagreement within the intelligence community regarding Bush's fabricated justifications for war. (Governor Richardson's record of diplomatic successes, his commitment to US treaty obligations and his service as US ambassador to the UN reasonably lead one to believe that, had he been in Congress and read the NIE, he would have insisted on closer collaboration with longtime US allies and, at the least, voted to require a second UN resolution before any military action was commenced.)

Clinton and Edwards must expect that they forfeited the support of those who oppose wars of aggression by their irresponsible votes supporting the blank-check war resolution, in wretched abrogation of Congress's constitutional responsibility to decide whether to go to war. Clinton won't even apologize, while Edwards must understand that his apology is nice but wholly insufficient to answer for the unnecessary and immense resulting tragedy—the death of hundreds of thousands, the displacement of and severe injuries to many more, the destruction and chaos suffered by the Iraqi people, and the undermining of our nation's security caused by the predictable hatred stemming from the invasion and occupation of a Muslim country.

If ever there has been a time to draw a vivid line, this is it.

The positive choice is Bill Richardson, the candidate who has the greatest depth of experience, as a member of Congress, UN ambassador, Energy Secretary and governor of New Mexico. Richardson has for years been an inspiring leader in the fight against global warming. He recently signed into law a bill that requires New Mexico utilities to quadruple their use of renewable energy. Armed with the most aggressive plan to gain energy independence and reduce the emission of greenhouse gases, Richardson would provide the crucial environmental leadership sorely lacking in the United States.

Bill Richardson is smart, likable and dedicated to the best of progressive principles. He would allow working families and small businesses to purchase healthcare coverage through the same plan enjoyed by members of Congress. He is the only candidate who has declared that acceptance of *Roe v. Wade* as established law will be a necessary condition for his Supreme Court nominees. While in Congress, he voted against, and continues to oppose, the military's disrespectful and discriminatory "Don't Ask, Don't Tell" policy. He proudly stands for equal legal rights for all families, including same-sex couples.

The kidnapping, disappearing and torture of people around the world, a trademark of the human-rights-abusing Bush Administration, will stand as one of our nation's most immense moral disgraces. As President, Bill Richardson will put an end to these abhorrent practices and help restore our moral standing among nations.

Bill Richardson, a proven consensus-builder, has scored significant diplomatic successes. He has the broadest experience and a genuine commitment to fundamental Democratic values. He is, indeed, on our side of the line, and he will be a President who will make us proud. ■

Rocky Anderson is a human rights activist and the mayor of Salt Lake City, Utah.

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Latin America's Shock Resistance

Recent events in the region show how societies can recover from extreme capitalism.

by NAOMI KLEIN

In less than two years, the lease on the largest and most important US military base in Latin America will run out. The base is in Manta, Ecuador, and Rafael Correa, the country's leftist president, has pronounced that he will renew the lease "on one condition: that they let us put a base in Miami—an Ecuadorean base. If there is no problem having foreign soldiers on a country's soil, surely they'll let us have an Ecuadorean base in the United States."

Since an Ecuadorean military outpost in South Beach is a long shot, it is very likely that the Manta base, which serves as a staging area for the "war on drugs," will soon shut down. Correa's defiant stand is not, as some have claimed, about anti-Americanism. Rather, it is part of a broad range of measures being taken by Latin American governments to make the continent less vulnerable to externally provoked crises and shocks.

This is a crucial development because for the past thirty-five years in Latin America, such shocks from outside have served to create the political conditions required to justify the imposition of "shock therapy"—the constellation of corporate-friendly "emergency" economic measures like large-scale privatizations and deep cuts to social spending that debilitate the state in the name of free markets. In one of his most influential essays, the late economist Milton Friedman articulated contemporary capitalism's core tactical nostrum, what I call the shock doctrine. He observed that "only a crisis—actual or perceived—produces real change. When that crisis occurs, the actions that are taken depend on the ideas that are lying around."

Latin America has always been the prime laboratory for this doctrine. Friedman first learned how to exploit a large-scale crisis in the mid-1970s, when he advised Chilean dictator Gen. Augusto Pinochet. Not only were Chileans in a state of shock following Pinochet's violent overthrow of Socialist President Salvador Allende; the country was also reeling from severe hyperinflation. Friedman advised Pinochet to impose a rapid-fire transformation of the economy—tax cuts, free trade, privatized services, cuts to social spending and deregulation. It was the most extreme capitalist makeover ever attempted, and it became known as a Chicago School revolution, since so many of Pinochet's top aides and ministers had studied under Friedman at the University of Chicago. A similar process was under way in Uruguay and Brazil, also with the help of University of Chicago graduates and professors, and a few years later, in Argentina. These economic shock therapy programs were facilitated by far less metaphorical shocks—performed in the region's many torture cells, often by US-trained soldiers and police,

DAUPO

and directed against those activists who were deemed most likely to stand in the way of the economic revolution.

In the 1980s and '90s, as dictatorships gave way to fragile democracies, Latin America did not escape the shock doctrine. Instead, new shocks prepared the ground for another round of shock therapy—the "debt shock" of the early '80s, followed by a wave of hyperinflation as well as sudden drops in the prices of commodities on which economies depended.

In Latin America today, however, new crises are being repelled and old shocks are wearing off—a combination of trends that is making the continent not only more resilient in the face of change but also a model for a future far more resistant to the shock doctrine.

When Milton Friedman died last year, the global quest for unfettered capitalism he helped launch in Chile three decades earlier found itself in disarray. The obituaries heaped praise on him, but many were imbued with a sense of fear that Friedman's death marked the end of an era. In Canada's *National Post*, Terence Corcoran, one of Friedman's most devoted disciples, wondered whether the global movement the economist had inspired could carry on. "As the last great lion of free market economics, Friedman leaves a void.… There is no one alive today of equal stature. Will the principles Friedman fought for and articulated survive over the long term without a new generation of solid, charismatic and able intellectual leadership? Hard to say."

It certainly seemed unlikely. Friedman's intellectual heirs in the United States—the think-tank neocons who used the crisis of September 11 to launch a booming economy in privatized warfare and "homeland security"—were at the lowest point in their history. The movement's political pinnacle had been the

Naomi Klein is a Nation *columnist and the author of* The Shock Doctrine: The Rise of Disaster Capitalism *(Metropolitan), from which this article is adapted.*

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Republicans' takeover of the US Congress in 1994; just nine days before Friedman's death, they lost it again to a Democratic majority. The three key issues that contributed to the Republican defeat in the 2006 midterm elections were political corruption, the mismanagement of the Iraq War and the perception, best articulated by Jim Webb, a winning Democratic candidate for the US Senate, that the country had drifted "toward a class-based system, the likes of which we have not seen since the nineteenth century."

Nowhere, however, was the economic project in deeper crisis than where it had started: Latin America. Washington has always regarded democratic socialism as a greater challenge than totalitarian Communism, which was easy to vilify and made for a handy enemy. In the 1960s and '70s, the favored tactic for dealing with the inconvenient popularity of economic nationalism and democratic socialism was to try to equate them with Stalinism, deliberately blurring the clear differences between the worldviews. A stark example of this strategy comes from the early days of the Chicago crusade, deep inside the declassified Chile documents. Despite the CIA-funded propaganda campaign painting Allende as a Soviet-style dictator, Washington's real concerns about the Allende victory were relayed by Henry Kissinger in a 1970 memo to Nixon: "The example of a successful elected Marxist government in Chile would surely have an impact on—and even precedent value for—other parts of the world, especially in Italy; the imitative spread of similar phenomena elsewhere would in turn significantly affect the world balance and our own position in it." In other words, Allende needed to be taken out before his democratic third way spread.

But the dream Allende represented was never defeated. It was temporarily silenced, pushed under the surface by fear. Which is why, as Latin America now emerges from its decades of shock, the old ideas are bubbling back up—along with the "imitative spread" Kissinger so feared.

By 2001 the shift had become impossible to ignore. In the mid-'70s, Argentina's legendary investigative journalist Rodolfo Walsh had regarded the ascendancy of Chicago School economics under junta rule as a setback, not a lasting defeat, for the left. The terror tactics used by the military had put his country into a state of shock, but Walsh knew that shock, by its very nature, is a temporary state. Before he was gunned down by Argentine security agents on the streets of Buenos Aires in 1977, Walsh estimated that it would take twenty to thirty years until the effects of the terror receded and Argentines regained their footing, courage and confidence, ready once again to fight for economic and social equality. It was in 2001, twenty-four years later, that Argentina erupted in protest against IMF-prescribed austerity measures and then proceeded to force out five presidents in only three weeks.

"The dictatorship just ended!" people declared at the time. They meant that it had taken seventeen years of democracy for the legacy of terror to fade—just as Walsh had predicted.

In the years since, that renewed courage has spread to other former shock labs in the region. And as people shed the collective fear that was first instilled with tanks and cattle prods, with sudden flights of capital and brutal cutbacks, many are demanding more democracy and more control over markets. These demands represent the greatest threat to Friedman's legacy because they challenge his central claim: that capitalism and freedom are part of the same indivisible project.

The staunchest opponents of neoliberal economics in Latin America have been winning election after election. Venezuelan president Hugo Chávez, running on a platform of "Twenty-First-Century Socialism," was re-elected in 2006 for a third term with 63 percent of the vote. Despite attempts by the Bush Administration to paint Venezuela as a pseudo-democracy, a poll that year found 57 percent of Venezuelans happy with the state of their democracy, an approval rating on the continent second only to Uruguay's, where the left-wing coalition party Frente Amplio had been elected to government and where a series of referendums had blocked major privatizations. In other words, in the two Latin American states where voting had resulted in real challenges to the Washington Consensus, citizens had renewed their faith in the power of democracy to improve their lives.

As people shed the fear that was instilled with tanks, sudden flights of capital and brutal cutbacks, many are demanding more democracy.

Ever since the Argentine collapse in 2001, opposition to privatization has become the defining issue of the continent, able to make governments and break them; by late 2006, it was practically creating a domino effect. Luiz Inácio Lula da Silva was re-elected as president of Brazil largely because he turned the vote into a referendum on privatization. His opponent, from the party responsible for Brazil's major sell-offs in the '90s, resorted to dressing up like a socialist NASCAR driver, wearing a jacket and baseball hat covered in logos from the public companies that had not yet been sold. Voters weren't persuaded, and Lula got 61 percent of the vote. Shortly afterward in Nicaragua, Daniel Ortega, former head of the Sandinistas, made the country's frequent blackouts the center of his winning campaign; the sale of the national electricity company to the Spanish firm Unión Fenosa after Hurricane Mitch, he asserted, was the source of the problem. "Who brought Unión Fenosa to this country?" he bellowed. "The government of the rich did, those who are in the service of barbarian capitalism."

In November 2006, Ecuador's presidential elections turned into a similar ideological battleground. Rafael Correa, a 43-year-old left-wing economist, won the vote against Álvaro Noboa, a banana tycoon and one of the richest men in the country. With Twisted Sister's "We're Not Gonna Take It" as his official campaign song, Correa called for the country "to overcome all the fallacies of neoliberalism." When he won, the new president of Ecuador declared himself "no fan of Milton Friedman." By then, Bolivian President Evo Morales was already approaching the end of his first year in office. After sending in the army to take back the gas fields from "plunder" by multinationals, he moved on to nationalize parts of the mining sector. That year in Chile, under the leadership of President Michelle Bachelet—who had been a prisoner under Pinochet—high school students

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staged a wave of militant protests against the two-tiered educational system introduced by the Chicago Boys. The country's copper miners soon followed with strikes of their own.

In December 2006, a month after Friedman's death, Latin America's leaders gathered for a historic summit in Bolivia, held in the city of Cochabamba, where a popular uprising against water privatization had forced Bechtel out of the country several years earlier. Morales began the proceedings with a vow to close "the open veins of Latin America." It was a reference to Eduardo Galeano's book *Open Veins of Latin America: Five Centuries of the Pillage of a Continent*, a lyrical accounting of the violent plunder that had turned a rich continent into a poor one. The book was published in 1971, two years before Allende was overthrown for daring to try to close those open veins by nationalizing his country's copper mines. That event ushered in a new era of furious pillage, during which the structures built by the continent's developmentalist movements were sacked, stripped and sold off.

Today Latin Americans are picking up the project that was so brutally interrupted all those years ago. Many of the policies cropping up are familiar: nationalization of key sectors of the economy, land reform, major investments in education, literacy and healthcare. These are not revolutionary ideas, but in their unapologetic vision of a government that helps reach for equality, they are certainly a rebuke to Friedman's 1975 assertion in a letter to Pinochet that "the major error, in my opinion, was…to believe that it is possible to do good with other people's money."

They are picking up a project that was interrupted when the structures built by developmentalism were sacked, stripped and sold off.

Though clearly drawing on a long rebellious history, Latin America's contemporary movements are not direct replicas of their predecessors. Of all the differences, the most striking is an acute awareness of the need for protection from the shocks that worked in the past—the coups, the foreign shock therapists, the US-trained torturers, as well as the debt shocks and currency collapses. Latin America's mass movements, which have powered the wave of election victories for left-wing candidates, are learning how to build shock absorbers into their organizing models. They are, for example, less centralized than in the '60s, making it harder to demobilize whole movements by eliminating a few leaders. Despite the overwhelming cult of personality surrounding Chávez, and his controversial moves to centralize power at the state level, the progressive networks in Venezuela are at the same time highly decentralized, with power dispersed at the grassroots and community levels, through thousands of neighborhood councils and co-ops. In Bolivia, the indigenous people's movements that put Morales in office function similarly and have made it clear that Morales does not have their unconditional support: the barrios will back him as long as he stays true to his democratic mandate, and not a moment longer. This kind of network approach is what allowed Chávez to survive the 2002 coup attempt: when their revolution was threatened, his supporters poured down from the shantytowns surrounding Caracas to demand his reinstatement, a kind of popular mobilization that did not happen during the coups of the '70s.

Latin America's new leaders are also taking bold measures to block any future US-backed coups that could attempt to undermine their democratic victories. Chávez has let it be known that if an extremist right-wing element in Bolivia's Santa Cruz province makes good on its threats against Morales's government, Venezuelan troops will help defend Bolivia's democracy. Meanwhile, the governments of Venezuela, Costa Rica, Argentina, Uruguay and Bolivia have all announced that they will no longer send students to the School of the Americas (now called the Western Hemisphere Institute for Security Cooperation)—the infamous police and military training center in Fort Benning, Georgia, where so many of the continent's notorious killers learned the latest in "counterterrorism" techniques, then promptly directed them against farmers in El Salvador and auto workers in Argentina. Ecuador, in addition to closing the US military base, also looks set to cut its ties with the school. It's hard to overstate the importance of these developments. If the US military loses its bases and training programs, its power to inflict shocks on the continent will be greatly eroded.

The new leaders in Latin America are also becoming better prepared for the kinds of shocks produced by volatile markets. One of the most destabilizing forces of recent decades has been the speed with which capital can pick up and move, or how a sudden drop in commodity prices can devastate an entire agricultural sector. But in much of Latin America these shocks have already happened, leaving behind ghostly industrial suburbs and huge stretches of fallow farmland. The task of the region's new left, therefore, has become a matter of taking the detritus of globalization and putting it back to work. In Brazil, the phenomenon is best seen in the million and a half farmers of the Landless Peoples Movement (MST), who have formed hundreds of cooperatives to reclaim unused land. In Argentina, it is clearest in the movement of "recovered companies," 200 bankrupt businesses that have been resuscitated by their workers, who have turned them into democratically run cooperatives. For the cooperatives, there is no fear of facing an economic shock of investors leaving, because the investors have already left.

Chávez has made the cooperatives in Venezuela a top political priority, giving them first refusal on government contracts and offering them economic incentives to trade with one another. By 2006 there were roughly 100,000 cooperatives in the country, employing more than 700,000 workers. Many are pieces of state infrastructure—toll booths, highway maintenance, health clinics—handed over to the communities to run. It's a reverse of the logic of government outsourcing: rather than auctioning off pieces of the state to large corporations and losing democratic control, the people who use the resources are given the power to manage them, creating, at least in theory, both jobs and more responsive public services. Chávez's many critics have derided these initiatives as handouts and unfair subsidies, of course. Yet in an era when Halliburton treats the US government as its personal ATM for six years, withdraws upward of $20 billion in Iraq contracts alone, refuses to hire local workers either on the Gulf Coast or in Iraq, then expresses its

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gratitude to US taxpayers by moving its corporate headquarters to Dubai (with all the attendant tax and legal benefits), Chávez's direct subsidies to regular people look significantly less radical.

Latin America's most significant protection from future shocks (and therefore from the shock doctrine) flows from the continent's emerging independence from Washington's financial institutions, the result of greater integration among regional governments. The Bolivian Alternative for the Americas (ALBA) is the continent's retort to the Free Trade Area of the Americas, the now-buried corporatist dream of a free-trade zone stretching from Alaska to Tierra del Fuego. Though ALBA is still in its early stages, Emir Sader, a Brazil-based sociologist, describes its promise as "a perfect example of genuinely fair trade: each country provides what it is best placed to produce, in return for what it most needs, independent of global market prices." So Bolivia provides gas at stable discounted prices; Venezuela offers heavily subsidized oil to poorer countries and shares expertise in developing reserves; and Cuba sends thousands of doctors to deliver free healthcare all over the continent, while training students from other countries at its medical schools.

This is a very different model from the kind of academic exchange that began at the University of Chicago in the mid-'50s, when hundreds of Latin American students learned a single rigid ideology and were sent home to impose it with uniformity across the continent. The major benefit is that ALBA is essentially a barter system in which countries decide for themselves what any given commodity or service is worth rather than letting traders in New York, Chicago or London set the prices for them. That makes trade less vulnerable to the kind of sudden price fluctuations that have hurt Latin American economies before. Surrounded by turbulent financial waters, Latin America is creating a zone of relative economic calm and predictability, a feat presumed impossible in the globalization era.

When one country does face a financial shortfall, this increased integration means that it does not necessarily need to turn to the IMF or the US Treasury for a bailout. That's fortunate because the 2006 US National Security Strategy makes it clear that for Washington, the shock doctrine is still very much alive: "If crises occur, the IMF's response must reinforce each country's responsibility for its own economic choices," the document states. "A refocused IMF will strengthen market institutions and market discipline over financial decisions." This kind of "market discipline" can only be enforced if governments actually go to Washington for help. As former IMF deputy managing director Stanley Fischer explained during the Asian financial crisis, the lender can help only if it is asked, "but when [a country is] out of money, it hasn't got many places to turn." That is no longer the case. Thanks to high oil prices, Venezuela has emerged as a major lender to other developing countries, allowing them to do an end run around Washington. Even more significant, this December will mark the launch of a regional alternative to the Washington financial institutions, a "Bank of the South" that will make loans to member countries and promote economic integration among them.

Now that they can turn elsewhere for help, governments throughout the region are shunning the IMF, with dramatic consequences. Brazil, so long shackled to Washington by its enormous debt, is refusing to enter into a new agreement with the fund. Venezuela is considering withdrawing from the IMF and the World Bank, and even Argentina, Washington's former "model pupil," has been part of the trend. In his 2007 State of the Union address, President Néstor Kirchner (since succeeded by his wife, Christina) said that the country's foreign creditors had told him, "'You must have an agreement with the International Fund to be able to pay the debt.' We say to them, 'Sirs, we are sovereign. We want to pay the debt, but no way in hell are we going to make an agreement again with the IMF.'" As a result, the IMF, supremely powerful in the 1980s and '90s, is no longer a force on the continent. In 2005 Latin America made up 80 percent of the IMF's total lending portfolio; the continent now represents just 1 percent—a sea change in only two years.

The transformation reaches beyond Latin America. In just three years, the IMF's worldwide lending portfolio had shrunk from $81 billion to $11.8 billion, with almost all of that going to Turkey. The IMF, a pariah in countries where it has treated crises as profit-making opportunities, is withering away.

The World Bank faces an equally precarious future. In April Correa revealed that he had suspended all loans from the Bank and declared the institution's representative in Ecuador persona non grata—an extraordinary step. Two years earlier, Correa explained, the World Bank had used a $100 million loan to defeat economic legislation that would have redistributed oil revenues to the country's poor. "Ecuador is a sovereign country, and we will not stand for extortion from this international bureaucracy," he said. Meanwhile, Evo Morales announced that Bolivia would quit the World Bank's arbitration court, the body that allows multinational corporations to sue national governments for measures that cost them profits. "The governments of Latin America, and I think the world, never win the cases. The multinationals always win," Morales said.

When Paul Wolfowitz was forced to resign as president of the World Bank in May, it was clear that the institution needed to take desperate measures to rescue itself from its profound crisis of credibility. In the midst of the Wolfowitz affair, the *Financial Times* reported that when World Bank managers dispensed advice in the developing world, "they were now laughed at." Add the collapse of the World Trade Organization talks in 2006 (prompting declarations that "globalization is dead"), and it appears that the three main institutions responsible for imposing the Chicago School ideology under the guise of economic inevitability are at risk of extinction.

It stands to reason that the revolt against neoliberalism would be in its most advanced stage in Latin America. As inhabitants of the first shock lab, Latin Americans have had the most time to recover their bearings, to understand how shock politics work. This understanding is crucial for a new politics adapted to our shocking times. Any strategy based on exploiting the window of opportunity opened by a traumatic shock—the central tenet of the shock doctrine—relies heavily on the element of surprise. A state of shock is, by definition, a moment when there is a gap between fast-moving events and the information that exists to explain them. Yet as soon as we have a new narrative that offers a perspective on the shocking events, we become reoriented and the world begins to make sense again.

Once the mechanics of the shock doctrine are deeply and collectively understood, whole communities become harder to take by surprise, more difficult to confuse—shock-resistant. ■

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Books & the Arts.

DOUG CHAYKA

ART in America

by REBECCA TUHUS-DUBROW

In the Old Testament, Abraham's wife, Sarah, foremother of a people, was initially unable to conceive a child. Despite harmonious marital relations, she bled every month and her belly failed to swell. Longing for a son, she did what any resourceful wife of her day would have done: she dispatched her husband to her maidservant, Hagar. The plan worked, but Hagar, having succeeded where Sarah had failed, lost respect for her barren mistress. Sarah, in turn, began to treat her harshly, making her fetch extra water and denying her seconds of stew. It was an unpleasant situation for everyone—with the possible exception of Abraham.

Hagar bore a son, Ishmael, on Sarah's behalf. Fourteen years later, though, God stepped in. He blessed Sarah—by then wizened and post-postmenopausal—with a child by blood, Isaac. "Who would have said to Abraham that Sarah would suckle children!" marveled the triumphal nonagenarian. "Yet I have borne a son in his old age." Eventually she instructed Abraham to cast Hagar and Ishmael out into the desert.

Had Sarah lived in the twenty-first century, she would have had a menu of options to consider before resorting to concubine recruitment. She could have tried fertility drugs, a few rounds of in vitro fertilization (IVF) or a trick called intracytoplasmic sperm injection to escort Abraham's seed to its destination. If all that failed, she could have had eggs extracted from Hagar or taken her pick among strangers with higher SAT scores. There likely would have been no need to wait until her 90s to bear a child—although if she were to give birth at that age, she would have had no shortage of company in the never-ending tabloid contest for World's Oldest Mother.

Couples throughout history have sought to control reproduction, with varying degrees of success. To avert pregnancy, there were always crude contraceptive techniques—withdrawal, proto-condoms—or cold baths. But if your problem was a fertility deficit, there wasn't much you could do besides adopt, enlist a third party or pray. For the most part family planning was the domain of God or nature until, in the twentieth century, technology and feminism joined forces to make childbearing preventable for many women. While lagging in effectiveness, remedies for infertility evolved too. By the late 1930s, hormonal treatments and tubal surgeries had become available, and the 1970s brought the spectacular breakthrough of IVF.

Today, infertility groups consider this

Embryo Culture
Making Babies in the Twenty-First Century.
By Beth Kohl.
Farrar, Straus & Giroux. 284 pp. $24.

Everything Conceivable
How Assisted Reproduction Is Changing Men, Women, and the World.
By Liza Mundy.
Knopf. 406 pp. $26.95.

Rebecca Tuhus-Dubrow is a writer in Somerville, Massachusetts.

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array of treatments an extension of "reproductive choice," while flummoxed prochoice groups fear that their terminology has been hijacked. Despite the discord—and the very real differences—the two camps are intimately linked. Both are trying to sort through our increased reliance on technology to shape our lives and solve our problems—problems often created by other technologies. Indeed, in a significant minority of cases the demand for assisted reproductive technology (ART) results more or less directly from old-school reproductive rights: happily, women can take advantage of birth control and abortion to postpone motherhood—but some find that when they're finally ready and willing to get pregnant, they're no longer able to.

Does the fertility industry allow women to fulfill a traditional role or emancipate them from one?

Some feminists are suspicious of ART because it allows women to fulfill a traditional role rather than emancipating them from one. Others, feminist or not, squirm at the commercialism: ordering a child, for a considerable price, and in some cases shopping for gametes or leasing a uterus. The availability of these items as consumer products elicits a jumble of reactions: why must we turn to the market to meet all our needs? Isn't there something character-building about accepting limitations and life circumstances? That said, why should only the poor have to accept such limits? Oh and, um, incidentally, what's the going rate for the sperm of a Harvard alum with low blood pressure and silky hair?

Likewise, we may instinctively recoil from the unnaturalness of ART. But this response warrants further scrutiny. "Unnatural" is a smear that can be leveraged against anything from birth control to vaccines. Manipulations of nature can be liberating or oppressive: medical science can be used to prevent pregnancy, to induce it and to provide a cosmetic "mommy job" to erase the residual signs of it. And while we all have opinions about these various technological applications, our judgments are bound to be colored by self-interest. A college sophomore who swears she'll never have kids is going to look at ART very differently from a 40-year-old in her third year of pregnancy attempts. The former could someday become the latter, struck by baby lust she had never anticipated, and distaste for ART could turn to gratitude. In this area, moral disapprobation is a slippery luxury.

Since Louise Brown, the first "test-tube baby," was born in 1978, more than 3 million children have been conceived by IVF worldwide. But the technology has advanced faster than the ethical and political consensus. This gap is especially conspicuous in the United States. Due to our peculiar abortion politics and free-market fetishism, the fertility industry—widely known among doctors and bioethicists as the Wild West of medicine—operates with virtually no government oversight.

Among the roughly 15 percent of Americans who have struggled with infertility is first-time author Beth Kohl. As a married woman in her late 20s, she was diagnosed with Polycystic Ovarian Disorder, which prevented her from conceiving the low-tech way. *Embryo Culture* is a memoir of her quest for pregnancy via IVF. (She lives in Illinois, where, unusually for the United States, a state mandate requires insurers to cover four rounds of that treatment.)

Unfortunately, Kohl's book is often marred by clunky prose—modifiers such as "spoony-looking" and "nonquiet"—as well as a scattered narrative. But it offers a serviceable introduction to the infertility scene. She covers an IVF cycle in detail: countless hours in the waiting room of the fertility clinic; daily self-administered injections of hormones; bloated discomfort and teary mood swings. Her husband, Gary, "worried about me, about us. He wanted to be of help, but I was becoming too much for him to handle. I was becoming too much for Freud or FEMA to handle." The ordeal is punctuated by moments of encouragement. When an ultrasonographer monitors the drug-induced follicles in her uterus, she thinks, with a touching desire for normality, "I was getting ultrasounds, just like any old pregnant woman."

Kohl's aim is not only autobiography; she wants to explore the ethical territory of ART. While she gamely acknowledges the standard concerns, however, her probing is perfunctory. When Gary suggests considering adoption, she replies, "Trust me.... I just know that this is the right thing for me. For us." This assertion of intuition is always the gist of her answer. In her foray into religious questions, she wonders "if I should put my faith in an all-knowing yet benevolent God who shall, at an unspecified miraculous point in the future, deliver a son or daughter unto me, patient member of His flock." She then confides her uneasiness at the prospect of spending more money to create a child than most parents spend to raise one. Her response to these worries: "But a force, an inner drive, is pushing me toward IVF." Ultimately, she fails to do the work of grappling with her reservations and spelling out why they are insufficient to override her decision.

Perhaps Kohl embodies a common attitude—the deep irrational drive to reproduce, in the face of which qualms are defenseless. But she is more a symptom of this tendency than a diagnostician. Two other recent books on the subject do a better job of analyzing the intense hunger for parenthood, as well as the fertility industry's manipulations of it. In *Waiting for Daisy*, Peggy Orenstein describes the incremental steps she took down a path of treatments she'd sworn she'd never try, such as egg donation, because, "What if this worked? What if it was the only way I could have a baby?" As Debora Spar argues in *The Baby Business*, this logic could lead to cloning: not out of an egomaniacal desire for self-replication but as a last recourse for patients who have tried everything else. It's not that infertility patients lack a moral compass, Spar suggests, but that they are vulnerable—which is an argument for policies setting certain legal limits.

Kohl was relatively lucky: although her first IVF cycle failed, she subsequently had two successful rounds. In the end, her story is quite conventional. The sole obstacle to a traditional family was her medical condition. She always expected to have kids, and when a problem arose, the remedy was available. Thanks to insurance coverage, she was spared the commercial excesses that are common in the United States. Handwringing notwithstanding, Kohl's essential feeling toward infertility treatment is gratitude. Her true worries center not on the ethics of assisted reproduction as a method but on its effects: whether IVF poses risks for the babies it brings to life. According to her research, it might. One study found an appreciably higher incidence of birth defects, especially heart problems and urinary- and genital-tract problems, in IVF children.

The apparent health of Kohl's three daughters, two of whom are twins, appears to reassure her on this point. Her agonizing then shifts to another question: what to do with the seven excess frozen embryos? Knowing and loving what the embryos could become, she is reluctant to discard them like so many leftovers. As the book ends, the embryos are still in the limbo of the freezer.

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By John Fleming

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Even prochoice patients tend to think of their frozen embryos as, in Liza Mundy's words, "souls on ice." In *Everything Conceivable*, Mundy reports that some 400,000 frozen embryos are in storage in the United States. They belong mostly to American parents but also to foreigners who come here for the "reproductive tourism" they enjoy under the United States' relaxed laws. These parents haven't yet made the "disposition decision": whether to discard the embryos, give them to a different couple, try for another pregnancy themselves or donate them to science (a daunting prospect, thanks to religious-right activism against embryo research). In Louisiana, such embryos have been designated "juridical persons" entitled to some legal rights—a source of alarm for *Roe v. Wade* supporters.

With empathy and wit, Mundy illuminates the dilemmas and joys of assisted reproduction.

And like other outgrowths of the fertility industry, this one has spawned its own lucrative niche: companies devoted to managing the ever-growing embryo inventories of clinics. The staffs of such companies sometimes find themselves offering impromptu counseling to patients, who typically receive little guidance from any other source.

Mundy, a staff writer for *The Washington Post Magazine*, thoroughly explores this and other aspects of ART in America, bringing to bear impressive reporting skills and a sharp analytical mind. With empathy and wit, she illuminates the ironies and absurdities, the tragedies and dilemmas, but also the joys, of assisted reproduction. As she observes, "Parenting has been divided up; it has been compartmentalized; it has been outsourced. At the same time it has been made deliciously possible."

Mundy writes accessibly about science, but the human dimension is at least as prominent in her work. Her accounts vividly dramatize the resolve of aspiring parents and the improvisatory pluck ART calls for. She also looks at the new types of relationships formed—between egg donors and intended mothers, sperm donors and their genetic children, gay parents and surrogates. Among her sources these relationships tend to be warm, as opposed to, say, the conflict between Sarah and Hagar or the infamous case of Baby M, whose biological mother, hired as a surrogate, fought a legal battle to keep her. Like Kohl, Mundy has a rosy view of the fundamental premise of ART; she scarcely addresses philosophical objections. But she is by no means blind to its practical problems. Her book identifies serious flaws in its implementation and makes persuasive policy recommendations for ameliorating them.

Mundy ventures beyond the confines of Kohl's first-person narrative, finding several patterns that diverge from that conventional scenario. We encounter women who deferred parenthood—due to career pressures, nonexistent or reluctant partners, or their own ambivalence. When they have at last prepared to start a family, some find that their fertility has diminished with age. (An increasing number of this group purchase eggs from younger donors for anywhere from about $5,000 to $50,000 a batch.) We also meet would-be moms who refuse to wait for Mr. Right—or, rather, seek him on the website of their local sperm bank instead of on Match.com. There are lesbians who employ the same method, while gay dad wannabes go to even greater lengths. Consider the case of Eric Ethington and Doug Okun. In an increasingly typical instance of "collaborative reproduction," this San Francisco couple hired a surrogate to carry twins, using the eggs of a second woman. The twins, while gestating in the same womb, were half-siblings; each egg had been deliberately fertilized by one of the men.

The beautiful twins and their devoted dads make a happy ending (except, of course, for those offended by the notion of plural fathers in a single family). But the surrogate who carried them, Ann Nelson, hemorrhaged dangerously from the delivery, necessitating a hysterectomy. Nelson, an environmental activist and counselor of pregnant teens, considers surrogacy part of "a grassroots thing. I thought, 'I could help these poor people.'" Married to a firefighter paramedic, she had given birth, via C-section, to four of her own children and one for a different gay couple. This time, although her doctor had cleared her to bear twins or triplets, she suffered from placenta accrete, a condition more likely after a previous C-section, in which the placenta is not fully expelled upon delivery. Nelson's generosity strains belief—she calls surrogacy her "passion" and claims she accepted payment only for her family's benefit—but others object to what they call the exploitation of women like her, who are paid about $20,000. As Mundy notes, such arrangements manage to elicit disapproval from both the left and the right. She quotes feminist bioethicist Barbara Katz Rothman: "Any man with a checkbook can buy a baby.... The pieces are all for sale."

The commercialization of ART is not just unseemly; it carries real risks. Clinics competing for clients want to boast high rates of successful pregnancies, leading them to transfer greater numbers of embryos to increase the chance that at least one will bloom into a baby. This tendency has contributed to an "epidemic" of multiple births in the United States. (There are other factors at play, too: fertility drugs alone tend to produce the quintuplets and sextuplets that make the evening news.) The twinning rate, Mundy reports, has risen by 300 percent in three decades, while the rate of births involving higher-order multiples has increased by about 1,000 percent. "If Nature thought it was appropriate for homo sapiens to have litters, Nature would not have selected against it," one doctor tells her. Multiple births have a much greater incidence of prematurity, low birth weight and other risks. Mundy describes the calamitous pregnancy of Tammy LaMantia, who, having told her IVF doctor she wanted no more than twins, conceived triplets, all of whom died at or before birth.

A significant chunk of *Everything Conceivable* is devoted to the phenomenon of multiples. When they survive, they are more likely to suffer from long-term disadvantages. One couple, unable to afford IVF, used fertility drugs and conceived quadruplets. Born at twenty-five weeks, three of the babies survived and stayed in the hospital for months; at age 3, one was preparing to learn Braille and walk with a cane. Even in the absence of such problems, parents are often utterly overwhelmed. "The theme of uncontrollable crying," Mundy notes dryly, "entered into many conversations I had with mothers raising high-order multiples."

Whether or not there is a veritable "epidemic," more responsible medical practice and better regulations would result in fewer multiple pregnancies and lower health risks for mothers and children. Doctors tend to leave the choice of how many embryos to implant to the patients, who are desperate to conceive and typically given little time and information to make the decision. LaMantia's pregnancy probably would have gone smoothly if her doctors had transferred two embryos instead of three. (She later gave birth to twins.) Mundy convincingly argues that the number of embryos transferred should be limited by law to two, as is already the case in much of Europe.

Another culprit here is the lack of federal

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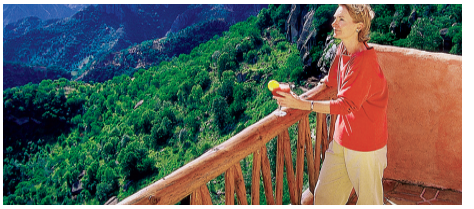

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funding for embryo research, thanks to anti-abortion activism. We're more familiar with the impact of the funding ban on stem-cell research, the most promising area of medicine that holds the potential to cure diseases such as Parkinson's and maybe even to regrow limbs. But the same funding ban has seriously hampered reproductive medicine too, with the result that all experimentation happens inside wombs. Meanwhile, infertility groups support embryo research but oppose government regulation of the fertility industry, on the grounds of reproductive freedom. The two campaigns have contributed to more multiple pregnancies, miscarriages, selective reduction and infant mortality. In effect, these disparate ideologies have colluded to undermine the interests of their respective constituencies—"preborn children" and infertility patients.

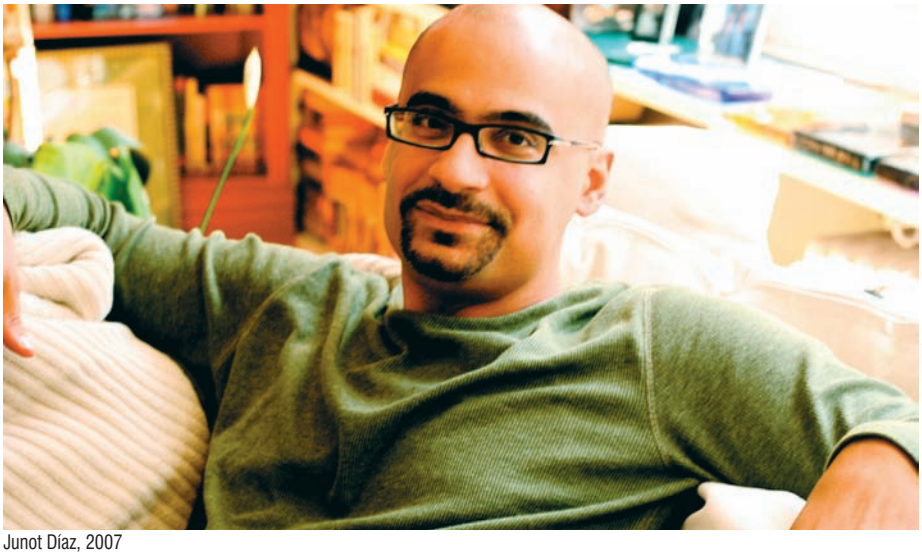
Mundy emphasizes that while bioethicists and the media fret about "designer babies," the more pressing issue is closer to the opposite. ART is creating children with disadvantages—those from multiple births but also, as Kohl touches on, IVF singletons. This affects not only the children and parents but also society at large, in terms of staggering healthcare costs and special educational needs.

Yet these dangers seem unlikely to captivate the popular imagination the way designer babies have: low birth weight, miscarriages and overwhelmed parents are mundane, compared with choosing Tyler's eye color or trying to engineer Chloe's IQ. The prospect of manufacturing a dream baby plays on desires and fears, harking back to our uncertainty about the ethics of usurping God or nature. Our doubts derive not only from the hazards of the process or the inequities that would ensue; the awesome possibilities are themselves threatening. In the same vein, one wonders if the right-wing resistance to stem-cell science is about more than the embryo. Perhaps, especially to people of conservative temperament, there's something hubristic, even blasphemous, about the radical curative potential. Even those of us who support stem-cell research can probably relate to the uneasiness about revolutionary advances and miracles of human provenance.

Such uneasiness regarding these and other innovations is a reaction to what bioethicists call a "yuck factor." These cringes are worth our attention, especially in the realm of personal decisions. But a big part of the yuck factor is novelty. In 1985 Leon Kass, the conservative bioethicist and future chair of the President's Council on Bioethics (2002–05), thundered that IVF would inevitably lead to "self-degradation and dehumanization." Now he endorses the treatment for married couples. Kass famously relies on the "wisdom of repugnance" in assessing biotechnology, but apparently repugnance has a half-life.

The yuck factor is alive today, but its power is eroding as we become ever more blasé about novelty and as our connections with nature become ever more mediated. That's why, in the end, ART isn't really very shocking. On the contrary, it fits right into our world. Although some ART parents hesitate to tell their children about their origins, the kids in Mundy's book don't seem particularly nonplussed. "I'm a miracle!" exults one little girl. A teenage boy says, charmingly, "I'm very thankful for all the technology and all the money put into, um, me."

After all, to kids who grow up in a culture thoroughly dominated by technology and commercialism, what could seem more natural? Indeed, given the extreme measures some take to produce children, the debt and the hormone injections and the devastating failures, what seems amazing is that other people accomplish the same feat with a method that's free and easy and that they'd presumably be more than happy to do anyway. Now *that* is a miracle. ■



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Junot Díaz, 2007

Fukú Americanus

by WILLIAM DERESIEWICZ

The Brief Wondrous Life of Oscar Wao
By Junot Díaz.
Riverhead. 352 pp. $24.95.

The immigrant experience, it's been noted, is no longer what it once was. When immigrants who came to the United States in the nineteenth and early twentieth centuries left their homelands, they left them forever. There were no telephone calls, no trips home for Christmas. Family was left behind, and so, for good or ill, was history. Emotional ties may have remained strong, and conflicts and allegiances may have carried over into the new neighborhoods, but what happened in the Old Country, and even what had happened, usually had little practical significance. The New World was a new start.

Things are different in the jet age. Now you can go home again, and the trail of immigration has become a two-way street. Assimilation is less certain, involvement with the homeland more intimate and more fraught. Even after a generation or more, families can remain suspended between two places, two languages and the claims of two discordant histories. All this is especially true of immigrants from the Caribbean basin, whose lands are so close, and whose status and plans are so often unclear. Two further circumstances distinguish these arrivals from others, be they Asians now or Europeans a century ago. First, their Old Country was already the New World, their existence there the legacy of prior displacements. Second, they come to the United States already having had historical business with it. The past they're no longer leaving behind when they get to America has already been scarred by America itself.

This new experience is calling forth a new literature. Junot Díaz's work is not, like

William Deresiewicz is a regular contributor to The Nation*'s Books and the Arts section.*

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earlier immigrant writing, about the confused but inexorable process of becoming less and less what you were and more and more American. It's about remaining what you were and the suspicion, or hope, that you'll never become American. It's about how Nueva York is less a new start than another chapter in the same old story.

Díaz made his debut eleven years ago with the highly acclaimed short story collection *Drown*. The pieces in *Drown* are brilliantly crafted, and so is the volume as a whole. It starts with three stories that take us from childhood in the Dominican campo to late adolescence in the slums of North Jersey, the path followed by Díaz himself. But then the trajectory doubles back: back to Santo Domingo (as Díaz refers to his homeland), back to childhood, back to everything we thought we'd left behind. And so it goes, back and forth, again and again. At the end of the book, we're still waiting to get off the island.

Now Díaz returns with a novel that reorchestrates this idea of an inescapable history on a grand scale. One of *Drown*'s strengths was the tight focus of its vignettes and the limited horizon of its narrator-protagonists' understandings, the poignancy generated by the sense that these doomed Dominican kids were oblivious to the larger circumstances that determined their choices and chances. Now Díaz places their world in its widest possible historical context. That's why *The Brief Wondrous Life of Oscar Wao* begins not with its title character, a nerdy Dominican boy growing up in North Jersey in the 1980s and '90s, but with African slaves; exterminated natives; "dictator-for-life Rafael Leónidas Trujillo Molina," "also known as El Jefe, the Failed Cattle Thief, and Fuckface," who ruled the country from 1930 to 1961; and the Italian explorer who planted his first colony on Hispaniola in 1492, and whom the book refers to—so inauspicious in Santo Domingo is the utterance of his name—as "the Admiral." The white man's advent, the narrator tells us, released a demon into the world: *Fukú americanus*, "the Curse and the Doom of the New World." It is this *fukú* that drives the story, exerting its power on both the national and personal scale: on the Admiral himself; on America and JFK; on Trujillo's enemies, who include Oscar's grandfather; on El Jefe himself; and at last on poor Oscar, all the way up in New Jersey.

In other words, Santo Domingo becomes the site of a kind of colonial Original Sin. Oscar himself will call the place the "Ground Zero of the New World" (and because Oscar dies in 1995, Díaz is remind-

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ing us that the phrase referred to Hiroshima before it became a slogan of American victimhood). Díaz isn't just telling the story of one sad Dominican; he's telling the story of a whole nation, and ultimately of a whole region. In Puerto Rico, the narrator discovers, they call the curse *fufu*, and in Haiti, he hears, they have some other name. Cuba and Mexico become frequent points of reference throughout the novel. But Díaz's compass is wider still: "Santo Domingo was Iraq before Iraq was Iraq" and "Trujillo was Mobutu before Mobutu was Mobutu." For all its vivid Dominican particularity, Díaz's story aims to stand for that of an entire imperium. *Fukú americanus*, indeed.

So what is his story? Oscar's problem, bluntly put, is that he can't get laid. He's fat, he's awkward, he's into comic books and fantasy novels and role-playing games like Dungeons & Dragons, and he doesn't know how to talk to girls. In other words, he's not just uncool, he's un-Dominican, because being Dominican, the narrator tells us, is all about having "Atomic Level G[ame]," "pulling in the bitches with both hands." So Oscar passes a miserable adolescence, belonging nowhere; and college, where he's befriended by the narrator, his older sister Lola's sometime lover, is still worse.

In Our Orbit

Musical Occasions

by DAVID SCHIFF

Reading *Music at the Limits* (Columbia, $29.95), a posthumous collection of Edward Said's music criticism, much of which appeared in this magazine, brought me back to my freshman year at Columbia. My profs for the core humanities course were, would you believe, Susan Sontag in the fall and Edward Said in the spring. They made for quite a contrast. Sontag was ready to bolt from academia. She would appear for our 9 AM session a quarter-hour late, bleary, bloodshot and seductively bohemian. (I was smitten and carried her *Time* magazine photo in my wallet.) She refused to teach *Faust*—"It's just everyone's pain in the ass," I remember her saying. She also liked to range far from the syllabus: one week she required that we watch Tod Browning's 1932 cult classic *Freaks*. Said, by contrast, was just beginning his teaching career, yet his bearing was aristocratic, his suits looked tailor-made and his demands on us, whether we were reading Shakespeare or Dostoyevsky, were for nothing less than total devotion to the text.

On a few occasions Said and I played piano duets, bashing through Schubert's resilient *Fantasy in F minor*. And we talked music. When I told him that I was playing through the three Brahms sonatas with a fellow student, the poet and violinist David Shapiro, Said demanded to know which one I thought best. After a deep breath I named the A major sonata—and scored a few points. "Yes, that's the jewel," he said. It was characteristic both that he worried, perhaps obsessively, about sorting out the best from the merely excellent, and that his choice was a work whose charms are the least apparent to the casual listener.

From that point onward my mentors' trajectories crossed in unexpected ways. Sontag became a defender of high seriousness; Said's *Orientalism* undermined the curricular status of the Western canon more profoundly than Sontag's early defense of camp. And yet Said's tastes as a music critic remained canonical. In a book proposal that appears as an appendix to *Music at the Limits*, Said claims that Bach, master of counterpoint, and Beethoven, master of development, between them define the full range of musical possibilities. (Like other noncomposing music lovers, Said tended to view counterpoint with unnecessary awe.) Always the *grand sérieux*, Said was the kind of critic for whom the name Puccini functions almost as an expletive, and he is also the only critic I have ever known to call Bartók "schmaltzy." Had he been a generation older, he would have celebrated the art of pianist Artur Schnabel above all others. In place of Schnabel, Said returns repeatedly to the pianist Glenn Gould, the subject of five of the articles in this collection. The finest, I think, is a piece called "In the Chair," in which Said reviews a psychoanalytic biography of Gould.

In all of Said's criticism, his highest term of praise is "intelligence." This habit, like music critic Charles Rosen's similar privileging of "wit," can at times just seem like an advertisement for the intelligence or wit of the critic. But in selecting Gould as his döppelganger, Said scrutinized the terms of Gould's intellectual stance as well as his own. In a piece published in *Vanity Fair* in 1983, he described Gould's style just as Gould had once described Sibelius—"passionate but antisensual." In later articles Said sets forth the full terms of Gould's mind/body problem, the way his intelligence depended not just on his decision to remove himself from the concert hall to the safer realm of the recording studio but also on his alienation from his own body, which as a hypochondriac he seemed to view mainly as a source of weakness.

For Said, Gould performed "at the limit where music, rationality, and the physical incarnation of both in the performer's fingers come together." Said's own complex understanding of the relation between criticism and performance, theory and praxis, allows his criticism to transcend his impulse to divide performers and listeners into smart nerds and dumb jocks—which, come to think of it, was the way he viewed our humanities class. Although all the essays exhibit a stylistic elegance to which other critics can only aspire, I think the longer pieces, such as an essay on *Fidelio* and a review of Charles Rosen's *The Romantic Generation*, are the most rewarding, because they give Said ample room to develop ideas; by the time he reaches the conclusion that "the uniqueness of *Fidelio* is that it arises, so to speak, in the heroic element of his middle period but ends up as herald of last works," every nuance of this summation has been carefully interrogated. Music criticism may have been Said's avocation, but I think that even his occasional pieces will reward rereadings for many years to come. ■

David Schiff, a professor of music at Reed College, is the composer of the opera Gimpel the Fool *and author of books on the music of Elliott Carter and George Gershwin.*

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"Wao," which makes him sound Asian, isn't even his real name; it's just someone else's mishearing of "Oscar Wilde," another outcast, and the "wow" it suggests is, at least at the time, deeply ironic.

It is only a few years after graduation, when Oscar visits his great-aunt La Inca in Santo Domingo, that things get better: suddenly, wondrously, briefly and tragically. But by the time we get there, Díaz has given us three more stories: that of Lola, who runs away with a white boy because she can't live with her mother's impossible demands, then gets sent down to La Inca for straightening out; that of Oscar and Lola's mother, Beli, who's rescued by La Inca from a life of poverty only to fall into a series of forbidden relationships that leave her with the psychic scars that will so repel her daughter; and that of Beli's father, Abelard Cabral, whose defiance of Trujillo destroys his family and sends Beli to the backwoods hovel from which La Inca will eventually rescue her.

Díaz's narrative, following the logic of the historical preamble that frames it, moves ever backward in search of origins and causes, unearthing patterns that come to seem like fate—the stories you can never escape retelling in your own life. Beli, Lola and Oscar all end up in La Inca's stern care; Beli and Lola both rebel against maternal figures, and both get sent to snobby Dominican private schools where they're humiliated by the popular girls and take refuge in reckless affairs. Indeed, the strongest fate is desire itself. If Oscar's body bars him from sex, not so for the women in his family. Girls burst into voluptuousness virtually overnight, driving themselves and everyone around them crazy. An atmosphere of humid lust hangs over the novel like the smell of soiled sheets. But sex is a political phenomenon as much as a natural one, because there's always someone more powerful who wants you against your will, or who wants what you want. Abelard meets his grim end trying to protect his eldest daughter from Trujillo's predations. Beli, at 16, becomes the mistress of a man who turns out to be the husband of Trujillo's sister. And so it ultimately goes in Oscar's story, too: desire, danger, defiance, destruction.

But only once he gets back to the island. That's the other form fate takes: the homeland from which you can never escape. All roads lead back to Santo Domingo—to Trujillo, to the country that kept him in power, to the colonial history that made him possible in the first place. "Santo Domingo will always be there," Lola is told by a sympathetic stranger on her way out of the country after yet another doomed entanglement. "It was there in the beginning and it will be there at the end." The stranger, whose words again invoke Díaz's "Ground Zero" conceit, means to offer comfort, but of course, the fact that "it will be there at the end" is felt by the novel as a tragedy. Indeed, this is a book that keeps trying to end but can't quite manage to do so. Chapter Seven, "The Final Voyage," is followed by Chapter Eight, "The End of the Story," which is followed in turn by still another, unnumbered chapter, "The Final Letter." "On a Super Final Note," one subhead reads, then a few pages later the narrator assures us, or himself, that "It's almost done. Almost over. Only some final things to show you." One of those things is Lola's daughter, American-born, whom he hopes can finally bring the story—her uncle's story, her family's and by now the narrator's, too—to an end. No more *fukú*, no more unfinished historical business. But another one of those things is a panel Oscar has marked in one of his comic books. One character says, "I did the right thing, didn't I? It all worked out in the end." And the other replies, "In the end? Nothing ends, Adrian. Nothing ever ends."

But Díaz is not content to leave his intuitions about divided identity—about an American story everywhere shadowed by a Dominican one—at the levels of plot, structure and theme. The same perceptions interfuse his every sentence. For what is most striking about his writing is his voice, and what is most striking about his voice is the audacity, bounce and brio of its bilingualism. The energy that drives it is the energy of youth, of the streets, of desire—but it is also the energy of two languages meeting in secret for hot, illicit sex. This is Lola, who gets to narrate her own story:

> I ran off, dique, because of a boy.
>
> What can I really tell you about him? He was like all boys: beautiful and callow, and like an insect he couldn't sit still. Un blanquito with long hairy legs who I met one night at Limelight.

But the Spanish track—which carries rhythms and idioms as well as individual words—is often turned up higher than this in the mix: "from the richest jabao in Mao to the poorest güey in El Buey, from the oldest anciano sanmacorisano to the littlest carajito in San Francisco." Not only are the two languages woven seamlessly together into a thrillingly rhythmic line; both are treated with an exhilarating improvisational freedom. Díaz's voice sweeps together ghetto slang, pop cultural nods and winks, puns, historiographic excursuses

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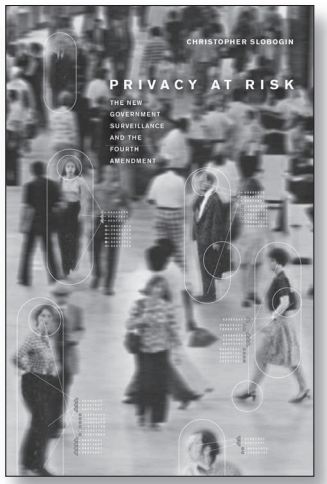

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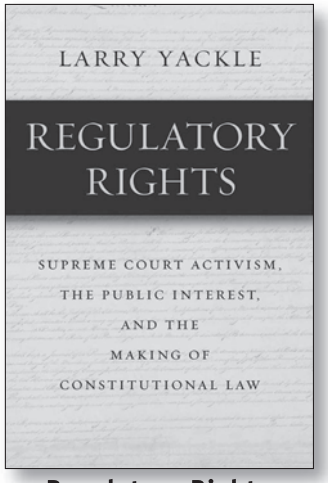

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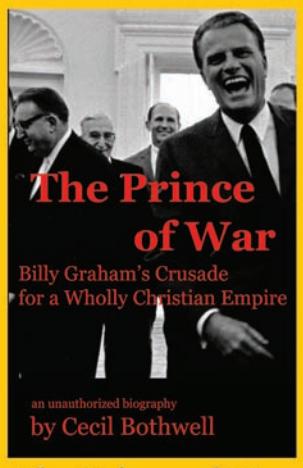

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and blunt, unsentimental lyricism. And he sustains it for the length of a novel without faltering. One can only imagine the prodigies of effort that went into achieving this illusion of effortlessness.

Díaz's bilingualism aims at more than oral gratification, however. It also seems designed to make his readers, or at least his Anglo readers, uncomfortable. Sometimes you can guess the meaning of a Spanish word from its context, sometimes you can't (and the idiomatic nature of Díaz's language means the dictionary often doesn't help). Sometimes there is no context: Díaz occasionally reels off entire sentences in Spanish, leaving the nonspeaker helpless. It's a more aggressive version of what Rushdie does in *Midnight's Children* with his Hindi puns and idioms, which shift the balance of linguistic power away from the imperial audience. Here it extends to constructing that audience as naïve and ignorant through teasing authorial addresses ("One final final note, Toto, before Kansas goes bye-bye") and long didactic footnotes ("For those of you who missed your mandatory two seconds of Dominican history…") that relegate the Anglo reader to the margin of the page.

Díaz's projected Dominican reader—someone like Beli or Lola—is not always treated more courteously, though. His range of reference is replete with high-brow allusions that remind us that we're reading the work of an English professor: Corbusier, Madame X ("You ever seen that Sargent portrait...? Of course you have"), Joseph Conrad's wife and "those nightmare eight-a.m. MLA panels." And few readers, I imagine, will be quite as conversant as is the narrator—who seems as knowledgeable about these matters as Oscar himself—with the many realms of science fiction, whose denizens appear as points of reference on virtually every other page.

Only one person, really, is capable of feeling fully comfortable within the novel's cultural universe: Junot Díaz. And I think this is the point. In trying to negotiate the distance between his two worlds—the world he's writing to and the world he's writing about, the world of people who read serious fiction ("us lit majors") and the world of people who live tough lives on the islands and in the cities—Díaz is seeking to carve out a space that's uniquely his own: Dominican Spanish plus literary English plus comic books plus North Jersey, etc., etc. One of the novel's epigraphs quotes Derek Walcott's famous line "Either I'm nobody, or I'm a nation," but the idea cuts two ways. Díaz is giving voice to his nation, but he is also giving voice to himself as a nation.

If the narrators in *Drown* seem unaware

Valet of the Shadow of Death

Welcome to our treasured island
seized from the tribe
of enemy combatants
who nursed us through
the winter of 1642.

This heap of shoes.
This copper beech.
This highway butter.

This featureless cottage
about to be filled
with "genuine antiques."

This track into milkweed
seen from the ground.

This monumental train
that thought it could
replace the barge
before it got choked out
by interstate
trying to protect
inalienable piracy.

Planes thrown down
like lightning.
Lightning thrown
like a glove.

This is not a camera
passing through
the comb-like trees.

This theory with its
problematic central arc
will be for sale
when the poem is over.

This is the end
of the bike path.

The moving sidewalk
is about to end
with the future on it
loaded with blankets
looking for a place to lie down.

ELIZABETH WILLIS

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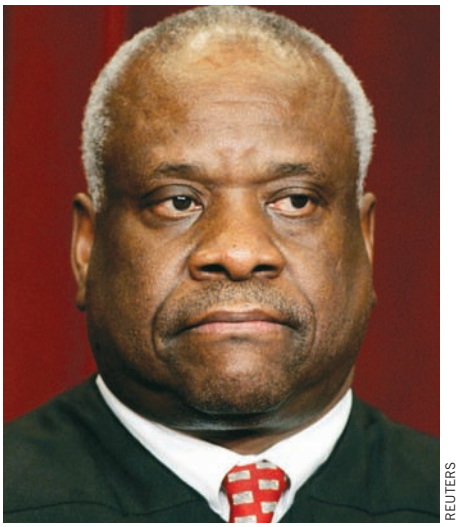
of their existence as narrators, the narrator here places his construction of the book at the forefront of our attention, constantly making us aware of how he consults sources, tapes witnesses and wrestles with the veracity of Cabral family legends, and before all this, of how Oscar's story had haunted him for ten years with its demands to be told. Much of this performance implicitly acknowledges the narrator's uncertain status, as an emigrant, relative to Santo Domingo. He anticipates objections from skeptical Dominican readers that he's trafficking in Dominican stereotypes, inserts last-minute corrections based on new information from native informants, even questions the legitimacy of the whole notion of *fukú* as a form of historical explanation that mystifies more sociopolitically specific forms of bad fortune.

As a character, Oscar remains something of a blank, perhaps deliberately: not only relatively underdeveloped—we ultimately see much less of his inner life, and even his outer life, than those of a whole handful of other characters—but also unknowable, the author, in his final weeks, of a lost and unrecoverable book that was to have explained everything. But the book we do have, in the figure of its alert, impassioned, conflicted narrator, proposes a defiant new model of immigrant personhood. ■

Judging Thomas

by JON WIENER

Sixteen years have passed since the first President Bush nominated Clarence Thomas to the Supreme Court, calling him "the best qualified at this time," sixteen years since the "high-tech lynching"—Thomas's famous phrase—left him a bitter and isolated man. During his time on the bench, Thomas has had more than a few opportunities to prove himself to be the most right-wing Justice in modern times (at least since FDR's nemeses retired during the New Deal). Thomas, of course, almost always follows the lead of Antonin Scalia in claiming to embrace the "original intent" of the Founders, but only Thomas has argued that students have no free speech rights at all. Thomas alone has argued that the First Amendment's separation of church and state applies only to the federal government, not to the states, meaning that Utah could declare itself a Mormon state or Georgia could declare itself a Baptist state. Thomas alone agreed with the second President Bush's recent argument in *Hamdi v. Rumsfeld* that the President has the power to hold US citizens at Guantánamo indefinitely without a court hearing. In 2005 Scalia was asked at an appearance at a New York synagogue to compare his own judicial philosophy with that of Thomas. Jeffrey Toobin was in the audience, and in his new and fascinating book *The Nine: Inside the Secret World of the Supreme Court*, he reports Scalia's answer: "I am an originalist, but I am not a nut."



REUTERS

Clarence Thomas, 2006

My Grandfather's Son
A Memoir.
By Clarence Thomas.
HarperCollins. 289 pp. $26.95.

Supreme Discomfort
The Divided Soul of Clarence Thomas.
By Kevin Merida and Michael Fletcher.
Doubleday. 422 pp. $26.95.

The Nine
Inside the Secret World of the Supreme Court.
By Jeffrey Toobin.
Doubleday. 369 pp. $27.95.

Scalia's colleague has now published a memoir. It is a howl of rage and pain, and Thomas's anger toward those who opposed his confirmation sixteen years ago is so lacerating that the *New York Times* editorial page suggested he recuse himself from cases involving the ACLU of Southern California, Yale Law School and Joe Biden, all opponents of his confirmation about whom he

Jon Wiener, a Nation *contributing editor, teaches American history at the University of California, Irvine. His most recent book is* Historians in Trouble: Plagiarism, Fraud, and Politics in the Ivory Tower *(New Press).*

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Randall Caroline Watson Forsberg Memorial

■ Memorial service for Randall Caroline Watson Forsberg, PhD. Peace activist, arms control expert and scholar. At 1 PM, December 1, at the Great Hall in Shepard Hall, City College of New York, 138th Street and Convent Avenue, New York City.

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is particularly vituperative. But what's even more striking about *My Grandfather's Son* is Thomas's belief that America is deeply, inescapably, incurably racist, and his view of himself as a black man hunted by white racists. He likens himself at his confirmation hearing to Bigger Thomas, the main character of Richard Wright's 1940 novel *Native Son*, who is convicted of the murder and rape of a white woman. Thomas, of course, was accused not of murder or rape but rather of sexual harassment, and his accuser, Anita Hill, was black, not white; nevertheless, he says he felt as if "I'd been thrust back into Bigger Thomas's world, a dark, cramped hell devoid of hope."

Thomas has always believed America to be a racist country. In his college days at Holy Cross, in the 1960s, he was a black militant and an activist; he marched for the first time in 1968 after the King assassination and later helped to organize a Black Student Union walkout. He also worked in a Black Panther–style free breakfast program, brought Bayard Rustin to the campus, put a Malcolm X poster up in his dorm room and immersed himself in Malcolm's speeches. After graduating from Holy Cross in 1971 he went straight to Yale Law School, where he worked part-time at a clinic screening poor people seeking free legal services, probably met fellow student Bill Clinton and devoted most of his effort to succeeding at Yale. He says he voted for McGovern in 1972. He also says that after graduation in 1974, all his white classmates ended up in good jobs, but he didn't get a single offer. The explanation is obvious to him—he was black.

Up to this point, the story Thomas tells mostly resembles the one told in the indispensable *Supreme Discomfort: The Divided Soul of Clarence Thomas*, by Kevin Merida and Michael Fletcher, *Washington Post* staffers whose 2002 newspaper profile of Thomas detailed, for the first time, the extreme degree of his bitterness and isolation. They're the first black journalists to write a book about him, something that they suggest gave them access—and perhaps insight—unavailable to whites; they interviewed several hundred people, including Thomas's mother. Thomas, however, refused to talk to them. They did talk to one of his eleven African-American classmates at Yale, who says that most of the eleven received pretty good job offers.

Thomas eventually landed a job: as an assistant attorney general working for a Yale alum—Jack Danforth, at the time Republican attorney general of Missouri, who later spent eighteen years in the Senate. Thomas says he got the job because he was "talented." But Merida and Fletcher were told a different story by Guido Calabresi, a Yale law professor. Calabresi said that in 1974, Danforth asked him to recommend a graduating law student who was "preferably an African American." Calabresi recommended a black student who didn't want the job, and that classmate suggested Thomas. The point is significant: Thomas got his first job as the result of a kind of affirmative action. It's especially important because it was Danforth who led Thomas to the Republican Party, to White House appointments and to the Supreme Court.

During his migration to the right Thomas did not change his mind about racism in America; what did change was his view of what to do about it. Collective action for civil rights, he would eventually argue in many speeches and writings, only encourages "paternalism" in whites and a sense of "victimization" among blacks. Instead, he came to favor a version of Booker T. Washington's gospel of self-reliance.

Why did Clarence Thomas change his mind about civil rights and black collective action? Thomas says that his political epiphany took place after a demonstration in Cambridge in the spring of 1970. He describes this event as "an antiwar rally," but Merida and Fletcher establish that it was a protest about the New Haven trial of Bobby Seale and other Black Panthers, who had been accused of murdering a fellow Panther they suspected of being an informer. Thomas, at that point a student at Holy Cross in Worcester, says in his memoir that he participated in the trashing of Harvard Square when 3,000 kids fought 2,000 cops, breaking windows, looting stores and setting fires. Thomas says his group was drinking and joined in "a full-scale riot…well into the night" despite the police firing tear gas. Merida and Fletcher quote him as saying he realized then that "I had become addicted to being a victim of oppression." In his memoir he says that after that night he decided he would no longer "whine about 'the man'" and instead would adopt a "philosophy of self-reliance."

Did he adopt his "philosophy of self-reliance" after that demonstration, or did he sell out his activist ideals later, in exchange for growing power in Republican administrations? Merida and Fletcher don't really answer the question, although they do trace the rightward drift of his ideas. In 1979 Danforth brought him to Washington, DC, to work in his Senate office; Thomas says in his memoir that he registered as a Republican in 1980 and voted for Reagan. That December, one month after Reagan's victory, Thomas appeared for the first time in the *Washington Post*, quoted by Juan Williams as a young

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black conservative who thought welfare destroyed black people by undermining their desire to work. As an example, he cited his own sister. That got people's attention.

One month later, in 1981, Reagan took office and appointed Thomas assistant secretary for civil rights in the Education Department; the following year Reagan made him head of the Equal Employment Opportunity Commission. Thomas was 32. An unnamed colleague at the EEOC told Merida and Fletcher, "His feeling was, 'I am the highest ranking African American lawyer in the government and Thurgood Marshall is getting up in age. When they start looking around for a replacement, I want to be in position for that.'" Others had the same thought. In 1990 Bush nominated Thomas for a seat on the US Court of Appeals for the District of Columbia Circuit. His record there was unremarkable; even Thomas doesn't claim any significant achievements. The next year, Marshall announced his retirement from the Supreme Court, and Bush needed to find a black conservative. "The list of plausible candidates who fit both qualifications," Toobin writes, "pretty much began and ended with Clarence Thomas."

Thomas's version of these events in his memoir is different. He says that even when he decided to leave the EEOC in 1990, becoming a judge never occurred to him; he agreed to be nominated for the Court of Appeals only because he thought "maybe this is God's way of telling me what to do"; it had never occurred to him that Bush might nominate him to the Supreme Court—until just before his Senate confirmation hearing for the Court of Appeals, when Joe Biden told him that might happen. He understood Biden to be warning him the Democrats would try to stop him. And in his memoir he never mentions anybody expecting the elderly and ailing Thurgood Marshall to resign. Finally, in his description of Bush announcing his nomination, Thomas does not quote the President telling Americans he picked Thomas because he was "the best qualified"—a statement whose absurdity has haunted Thomas ever since.

The White House plan for Thomas's confirmation called for emphasizing the Algeresque story that the man from Pin Point, Georgia, rose from a wooden shack to the highest court in the land. "Without Pin Point," Merida and Fletcher write, "Thomas would never have made it to the Supreme Court." And sure enough, Thomas goes to the well again in his memoir, which begins with the Pin Point story.

There was, however, the problem of his qualifications. In 1991 Thomas had been a judge for only a year. Before that he had never argued a case in any federal appeals court, much less the Supreme Court. He "had never written a book, an article, or even a legal brief of any consequence," Toobin notes. Given his utter lack of experience, and in light of the story Merida and Fletcher tell, it's beyond belief that Thomas's success owes nothing to the various forms of affirmative action and racial preference he has come to despise.

As Jeffrey Toobin shows in *The Nine*, a behind-the-scenes account of the Court from 1992 to 2005, Thomas isn't the only Justice whose presence on the bench is dispiriting, if not embarrassing. Toobin is especially incisive on the Court's performance in *Bush v. Gore*, a case where the Justices, he says, "did almost everything wrong." The case brought out the "worst flaws" of each Justice. William Rehnquist: intellectually lethargic but politically energetic; Sandra Day O'Connor: eager to appear moderate but more eager to keep the White House in Republican hands; Antonin Scalia: relying on intimidation in place of logic, open partisanship in support of Bush; Anthony Kennedy: incompetence made worse by pretentious rhetoric; Ruth Bader Ginsburg: weakness and an inability to take on the other side; Stephen Breyer: confusion and ineptness in seeking the middle of the road; and finally Thomas: angry, grim and deeply biased. For Toobin, only John Paul Stevens made logical and consistent arguments with a clear constitutional basis.

Toobin also effectively dismantles the majority ruling in *Bush v. Gore*. The Court stopped the recount of Florida votes (Bush was ahead), arguing that because Florida lacked a uniform standard for recounting ballots in different counties, the recount violated the equal protection clause. But as Toobin explains, "No court, much less the Supreme Court, had ever before imposed any kind of constitutional rule of uniformity in the counting of ballots. Most states, including Florida, used different voting technologies in a single election." If the Justices really believed it was their job to assure a uniform standard for the recount, they should have instructed the Florida legislature, or the Florida Supreme Court, to do that. By blocking a recount, the Court "preserved and endorsed a less fair, and less accurate, count of the votes." Finally, they declared that their ruling regarding uniformity in the counting of ballots did not apply to any other elections—it applied only to the Florida vote for the plaintiff, George W. Bush.

The aftermath of *Bush v. Gore* is remarkable. David Souter was so shaken by the crude

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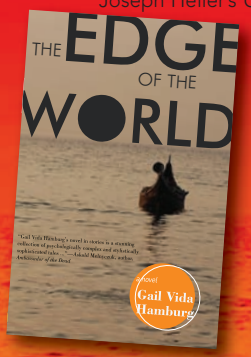

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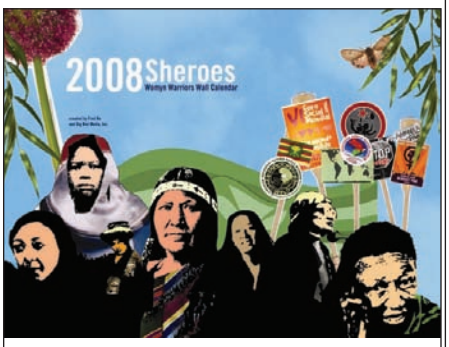

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partisanship of the majority that, according to Toobin, he "seriously considered resigning." At the time the case seemed to mark the iron grip of the conservative majority, but as Toobin shows, the real result of *Bush v. Gore* was that O'Connor and Kennedy turned away from the right-wing majority, especially on the death penalty, affirmative action, gay rights and the President's claims of executive power in the *Hamdi* case.

Toobin argues that, overall, the Court deals with two kinds of cases: "There were abortion cases—and there were all the others." Presidents nominate Justices primarily on the basis of their position on *Roe v. Wade*, and confirmation hearings revolve around *Roe v. Wade*—although, of course, all nominees deny in all confirmation hearings they have a commitment on any particular case. Thomas himself testified that he'd never even discussed *Roe v. Wade*. The whole "original intent" school of constitutional interpretation is "a proxy," Toobin argues, for the campaign to reverse *Roe v. Wade*; for the originalists, since the men who wrote the Constitution never intended it to protect abortion, there is no constitutional right to abortion. When *Roe* passed in 1973 the vote was 7-2. By 1986, the vote to uphold *Roe* was 5-4. As Toobin explains, the lesson for conservatives was clear: "They didn't need better arguments; they just needed new justices." Clarence Thomas was nominated for the Court in 1991.

The vote in the Senate on Thomas was 52-48, the smallest margin of any Justice in more than a century. A shift of just three votes would have kept Thomas off the Court. Liberal readers will gnash their teeth over Merida and Fletcher's report that enough senators came to regret their vote a year or two later that they would have made a majority against his nomination: David Boren, Democrat of Oklahoma; John Breaux, Democrat of Louisiana; Ernest "Fritz" Hollings, Democrat of South Carolina; and Warren Rudman, Republican of New Hampshire. Even some of Thomas's most avid defenders stopped saying he told the truth about Anita Hill; now Orrin Hatch says that, even if Hill told the truth, what she said about Thomas sexually harassing her wasn't really all that bad.

Thomas's predecessor on the Court, Thurgood Marshall, retired at 83. If Thomas does the same, he'll serve until 2031—another twenty-four years. When Justices Souter, Kennedy and O'Connor moved away from the Court's right wing, the media described them as "evolving." Thomas once posted a sign in his office that read, "I ain't evolving." Nobody is disagreeing with him about that. ■

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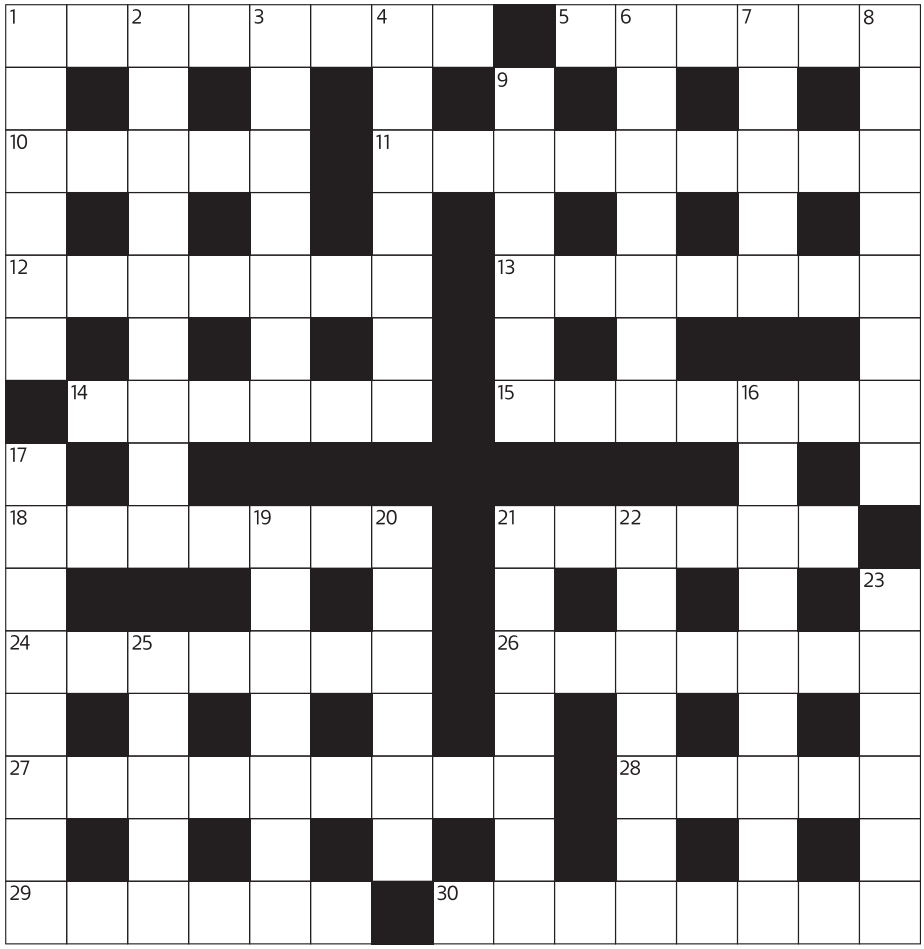

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10 Heart-broken because we have to live on it? (5)

11 Not quick stories starting to be the kind that will kill you! (9)

12 Is the ace hard to get in the deal, which is only a play on words? (7)

13 Is more than one continent involved in it? (7)

14 The state of equilibrium when the short good person gets a sign that means "take it or leave it." (6)

15 Animal that has diamond-like things of the second grade. All right? (7)

18 Theatrical performance canceled? Is this some kind of game? (7)

21 It's a short street, but you get to eat around it, and keep things for the future. (4,2)

24 Petty, confused about a compass heading, as every word in the book must be. (7)

26 Talking about a musical performance! (7)

27 One gets around, but I rave about what the fork has. (9)

28 A Greek character not quite fit to be out of uniform. (5)

29 See 23 down

30 The record of how much H_2O appears, or to pour it on too much? (8)

DOWN

1 Catch and bring back over Lee's head, and stick a feather on. (6)

2 Rabelais made it big, in a little state with a ragged rag on a cracked nut on a creation of it. (9)

3 There's a bad way to show what the cook does with leftovers, perhaps. (7)

4 Certainly a different quality—and uneven! (7)

6 Part of your mouth turns up in rather unpleasant fashion, even though one came over on the Mayflower. (7)

7 This number might be wild, but you shouldn't find one of them odd. (5)

8 A cry of discovery when the spoor is seen to be a place for toppers. (3-5)

9 The curate's was said to be not entirely so, but one is a tough customer. (3,3)

16 Describing the Horn of Plenty near Salt Lake City. (9)

17 The delivery service gets one star, in disintegration on a higher level. (8)

19 A supposedly bad odor comes up on what might be a pretty picture, but rather lewd. (7)

20 Religious decrees, according to which lard is no more. (6)

21 A concluding passage played at a faster tempo badly treats a model in it. (7)

22 Part of the French minor nobility has six to arrive about the square. (7)

23 and **29** across Alien transportation you might associate with a bull in a china shop. (6,6)

25 Perhaps on duty in Paris during WWI, now rising up around falling oil. (5)

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L	A	M	E	N	T	S	■	T	S	U	N	A	M	I
A	■	U	■	D	■	Z	■	S	■	F	■	N	■	N
R	A	M	P	A	R	T	S	■	O	F	F	I	N	G

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Better Than Viagra®*?

Take this test...

- ☐ Do you worry about keeping an erection during intercourse?
- ☐ Do you have a medical condition such as high blood pressure/cholesterol, hormone disorders, diabetes or depression?
- ☐ Do you want to improve your sexual confidence?
- ☐ Are you concerned your partner is disappointed in your sexual performance?

If you answered "yes" to one or more of the questions above, Androvin™ may significantly improve your sex life—and without a doctor's prescription.

Androvin™ provides a safe, discreet way to firmer, fuller erections, more intense orgasms and more overall energy.

Let's face it, no matter how good we think we are in bed, the reality is most middle aged men and seniors have room for improvement. Just ask their wives. No fault of their own, the fact is that the quality and fullness of erections often decrease as men age. And it's the rare man over 45, who can truthfully admit he can perform like he did when he was 25.

What Happened To Us?

Generally speaking, men experience a decrease in erection quality with age. This is totally normal. Some causes are stress, poor nutrition, smoking, and certain medications. Whatever the reason, the usual result is a decrease in natural blood flow during arousal, leading to difficulty obtaining and maintaining an erection. Some men slowly lose firmness of their erections, while others lose the length of time their erections last. Unfortunately, this often-embarrassing situation can cause decreased self-esteem and result in serious emotional and relationship problems.

Remarkable Daily Supplement That Guarantees To Increase Your Sexual Performance

Despite ridiculous claims to the contrary, there is no known ingestible product to alter the size or shape of your penis. But there is a way you can enjoy sexual health without embarrassing visits to the doctor, expensive prescriptions, painful injections into the penis, or surgical procedures. Androvin™ is a remarkable, once-a-day, non-prescription supplement that is guaranteed to increase your sexual desire and performance. And unlike prescription drugs that must be timed with precision and taken before a sexual encounter, all-natural Androvin—simply taken once daily—is designed to help maintain blood flow for firmer, fuller erections for as long as it's used. You're always ready to go!

Harder, Longer-Lasting Erections

Certain powerful ingredients in Androvin, known as vasodilators, help to relax smooth muscle tissue in the pelvic region. The result? An increased amount of blood flows freely to the penis, to create a fuller, harder, longer-lasting erection.

Now You Can Feel More Relaxed, Eager And Confident!

The key to better sex is also in your mind. Consequently, Androvin also contains ingredients that stimulate the neurotransmitters in the brain's pleasure center to increase sexual capacity. This not only enhances the desire for sexual stimulation and helps improve vitality and energy, it also minimizes performance anxiety before it starts. Those who take Androvin feel more relaxed, more eager, and more confident.

The Androvin™ Difference

- Viagra®*, the most commonly prescribed drug for erectile dysfunction, may cause drug resistance in certain long-term users, cannot be used by people with certain cardiovascular conditions, does not address libido issues, and has shown severe side effects in some patients.
- The majority of over-the-counter sexual dysfunction products have little/no efficacy.
- Androvin's effective formula can allow healthy men, as well as those suffering from impotence, to obtain full erections after one or more dosages, along with increased libido and improved satisfaction.
- Androvin is produced under FDA approved conditions, using only the highest quality pharmaceutical-grade ingredients.

Risk Free! Call Now To Find Out How To Get A Free Bottle!

For a limited time, Androvin is being offered through an exclusive manufacturer's direct risk-free trial. Try it for 30 days, and if you don't think that Androvin has significantly improved your sexual performance and stamina, return the unused portion for a full refund (less s&h). You risk absolutely nothing! This offer is for a limited time, only as supplies last.

To learn how to get a FREE bottle of Androvin & free shipping, visit www.premiumnutrition.net or call toll-free 24 hours a day!

1-800-859-1152 x105

www.PremiumNutrition.net

To order by mail, please call for details.

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Your privacy is our priority. Your order will be billed and shipped by "Premium Nutrition, Inc." We will never share your information with an outside company. It is for internal use only.

HERE'S WHAT SOME OF THE SATISFIED ANDROVIN™ USERS ARE SAYING:

"What a sense of confidence! Androvin really helps to elevate my mood and create a better sense of well being; and, my performance is the best it has been in years." **Mitch – Oviedo, FL**

"I call it, the Viagra®* replacement of the 21st century. I have used prescription drugs in the past to treat my erectile dysfunction; but now, I rely on Androvin. It's so much more convenient to get, less money and works just as well." **Brian – Naples, FL**

*Viagra is a registered trademark of Pfizer, Inc.

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